

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36841 of 2025

Arising Out of PS. Case No.-499 Year-2024 Thana- NAANPUR District- Sitamarhi

Sudhir Sahni S/O Siman Sahni @ Shivan Sahni @ Shivnandan Sahni R/O
village - Koriya Raipur ward no. -4, P.S. - Nanpur, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-06-2025 Heard Mr. Santosh Kumar, learned counsel for the
petitioner and Mr. Mohammed Arif, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Nanpur P.S. Case No. 499 of 2024, F.I.R. dated 26.09.2024 for
the offences punishable under Sections 126(2), 115(2), 127(2),
118(1), 109, 308(4), 308(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant
alleged that when he reached near the Mango orchard after collecting
Rs.40,000/- from the vilage Kauriya Raipur, the petitioner along with
other accused persons reached there and pointed gun on him and
assaulted him and snatched away the money and key of his
motorcycle and his mobile phone and ran away.

4. Learned counsel for the petitioner submits that petitioner



is innocent and he has falsely been implicated in the present case. Infact the informant has taken loan of Rs.10,000/- from the petitioner and the petitioner has demanded the said amount, the present occurrence has taken place. The allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. Although there is specific allegation that the petitioner assaulted the informant but the injury report of the informant suggest that his injury is simple in nature.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries two criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, injury inflicted upon the injured person is simple in nature, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Pupri, Sitamarhi in connection with Nanpur P.S. Case No. 499 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-



i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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