

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40941 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- MAJHAULIA District- West Champaran

Chandev Sahani @ Chanddevi Sahani S/O Late Bishun Sahani @ Late Vishun Sahani R/O Village-Jaukatiya, Ward No. 12, PS- Majhauriya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Majhauriya P.S. Case No. 103 of 2025 instituted for the offence under Sections 329(3), 126(2), 115(2), 118, 109, 352 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case is that on 03.02.2025 at around 6:00 PM, following a prior dispute, several accused persons including petitioner came armed to the informant's house. It is specifically alleged that petitioner assaulted the informant's mother on the head with an iron rod, causing a serious injury.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 24-03-2025. Petitioner bears three criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that wife of the petitioner has lodged counter case against the informant and others, arising out of the same occurrence. Referring to impugned order, it would reveal that mother of the informant has not sustained any injury over her head, which falsify the allegation against the petitioner. Leaned counsel submits that even if the allegation is taken on its face value, there is no repetition of blow. Police after completion of investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with



two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Majhauriya P.S. Case No. 103 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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