

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39627 of 2025

Arising Out of PS. Case No.-54 Year-2024 Thana- GHATHO District- Samastipur

Kamlesh Sahni S/O Baijnath Sahni R/O Village- Jagdishpur, PS- Ghatho,
Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Advocate
For the State : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-06-2025 Heard Mr. Surya Narayan Roy, learned counsel for
the Petitioner and Mr. Prem Kumar Jha, learned APP for the
State.

2. The petitioner apprehends his arrest in connection
with Ghatho P.S. Case No. 54 of 2024 dated 07.09.2024
registered for the offences punishable under Sections 191(2),
190, 126(2), 115(2), 303(2), 109, 74, 352 and 351(3) of the
Bharatiya Nyaya Sanhita.

3. The main submissions advanced by petitioner's
counsel are that this is the second attempt of the petitioner to get
the relief of anticipatory bail and his first prayer for the same
relief was rejected by this Bench vide order dated 02.04.2025
passed in Cr. Misc. No. 17349 of 2025 and the fresh ground for
renewing his prayer is the injury report of informant's mother-



in-law namely, Adari Devi who is said to have been assaulted by this petitioner and co-accused, Praveen Shahni, and at the time of deciding the petitioner's earlier prayer, the injury report of the said injured was not available before this Bench and now the same has been filed with this petition as Annexure-3. It is further submitted that as per the allegation, this petitioner and co-accused, Praveen Shahni, inflicted an iron rod blow on the head of the informant's mother-in-law namely, Adari Devi which resulted in profuse bleeding from her head as per the FIR but in view of the medical opinion given by the medical expert after examining the said injured, the said allegation is completely false as no external injury was found on the body of the said injured by the doctor concerned and in this regard, Annexure-3 is relevant and the same may be perused. It is further submitted that the C.T. Scan examination of Brain of the injured was also conducted in which no abnormal finding was given by the medical expert. It is further submitted that the co-accused, Praveen Shahni, who is carrying the similar nature of allegation has been granted regular bail by the co-ordinate Bench of this Court vide order dated 19.04.2025 passed in Cr. Misc. No. 15872 of 2025 and there is case and counter case in between both the parties.



4. Though learned APP has opposed the prayer for bail of the petitioner but fairly accepted that from the perusal of the injury report of the so-called injured, there is substance in the aforesaid submission made by petitioner's counsel.

5. Having considered the aforesaid submissions made by petitioner's counsel, this Court finds substance in the present prayer of the petitioner, so, this Court is now inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Ghatho P.S. Case No. 54 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Shailendra Singh, J)

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