

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42381 of 2025**

Arising Out of PS. Case No.-87 Year-2016 Thana- RAJEPUR District- East Champaran

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Ramayan Sahni @ Ramkaran Sahni Son of Ramlakhan Sahni Resident of
village - Lahladpur, P.S.- Madhuban, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

2. The petitioner is apprehending arrest in connection with Rajepur P.S. Case No. 87 of 2016 lodged on 26.07.2016, for the offence punishable under Sections 147, 148, 149, 144, 153A, 153B, 295(A), 297, 353, 505, 452, 380, 307, 323, 324, 431, 341, 342, 427, 188, 337 & 120B of the Indian Penal Code read with section 27 of the Arms Act and sections 3 & 4 of the Prevention of Damages to Public Property Act, 1984 pending in the Court of Sub-Divisional Judicial Magistrate, Sadar, East Champaran, Motihari.

3. As per the prosecution, FIR has been lodged against



79 named accused persons and more than 1000 unknown persons. It has been alleged in the FIR that a large number of people holding weapons in their hands had gathered and they were damaging the public property and firing at mosque in the village and they were also committing loot at nearby shops. Thereafter, when the police party and local administration tried to pacify the matter, the gathered people scuffled with them and damaged the government vehicles.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that there is general and omnibus allegation against all the accused persons. Counsel submits that the criminal antecedent of the petitioner is not clean as there are 13 cases pending against him and only due to this reason at the instance of police, name of the petitioner has been inserted in this case. Counsel submits that petitioner is on bail in all the 13 cases pending against him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is not clean as there are 13 cases pending against him which indicates that the petitioner used to involve in such type of activities and this aspect must be taken into consideration.



6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected with liberty that if, petitioner surrenders before the Trial Court within a period of 4 weeks from today then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day, without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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