

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51861 of 2025

Arising Out of PS. Case No.-72 Year-2024 Thana- BIRUPUR District- Lakhisarai

1. Ramotar Sahni Son of Mangal Sahni Village- Pali PS -Birpur, Dist- Lakhisarai
2. Daho Sahni Son of Rambaran Sahni Village- Pali PS -Birpur, Dist- Lakhisarai
3. Kundan Kumar @ Kundan Sahni son of Fekan Sahni Village- Pali PS -Birpur, Dist- Lakhisarai
4. Upendra Sahni Son of Rambriksha Sahni Village- Pali PS -Birpur, Dist- Lakhisarai
5. Phulchand Sahni Son of Vijay Sahni Village- Pali PS -Birpur, Dist- Lakhisarai
6. Nitsh Sahni son of Jagdish Sahni Village- Pali PS -Birpur, Dist- Lakhisarai
7. Ashok Sahni son of Bazo Sahni Village- Pali PS -Birpur, Dist- Lakhisarai
8. Suraj Sahni Son of Dara Sahni Village- Pali PS -Birpur, Dist- Lakhisarai
9. Sarvan Sahni Son of Masudan Sahni Village- Pali PS -Birpur, Dist- Lakhisarai
10. Rahul Sahni Son of Karam Sahni Village- Pali PS -Birpur, Dist- Lakhisarai
11. Akhilesh Sahni Son of Matlu Sahni Village- Pali PS -Birpur, Dist- Lakhisarai
12. Bano Sahni Son of Chhotan Sahni Village- Pali PS -Birpur, Dist- Lakhisarai
13. Vikash Sahni son of Upendra Sahni Village- Pali PS -Birpur, Dist- Lakhisarai
14. Mahesh Sahni Son of Lakhi Sahni Village- Pali PS -Birpur, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajnish Chandra, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2025 Heard Mr. Rajnish Chandra, learned counsel for the

petitioners and Mr. Ram Naresh Ray, learned Additional Public

Prosecutor for the State.



2. The petitioners are apprehending their arrest in connection with Birupur P.S. Case No. 72 of 2024, F.I.R. dated 24.11.2024 for the offences punishable under Sections 191, 190, 126(2), 115, 109, 303(2) of Bharatiya Nyay Snahita and Section 27 of Arms Act.

3. According to prosecution case, the informant alleged that on 23.01.2024, when he was catching fish, then 30 named accused persons along with other unknown persons armed with weapons came and one of them opened fire in air. It is further alleged that the accused persons prohibited the informant from catching fish and asked about Rs.5 lakh as *rangdari* which was promised to be paid to them at the time of release of one Pancham Sahni.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. From bare perusal of the FIR it appears that due to some petty dispute the present occurrence has taken place. It appears from that FIR that there is no specific allegation of assault against these petitioners rather the allegation against them are general and omnibus and all the injuries inflicted upon the injured persons are simple in nature except the injury of Govinda Kumar and similarly situated co-



accused persons, namely, Sonu Kumar @ Sonu Kumar and 11 others have been granted the privilege of anticipatory bail by this Court vide order dated 11.08.2025 in Cr. Misc. No. 47050 of 2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners. He further submits that that petitioner nos. 3, 5, 6, 9, 11, 12, 13, 14 have clean antecedent and petitioner nos. 1,2, 4, 7, 8, 10 carries one criminal antecedents other than the present one in which they are on bail.

6. Considering the aforesaid facts and circumstances and the fact that there is no specific allegation of assault against these petitioners and injuries inflicted upon the injured persons are simple in nature except the injury of Govinda Kumar and situated co-accused persons have been granted the privilege of anticipatory bail by this Court, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of the learned C.J.M Lakhisarai in connection with Birupur P.S. Case No. 72 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. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds 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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