

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53321 of 2025

Arising Out of PS. Case No.-231 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Ganga Sahani S/o Dangar Sahani @ Dangal Sahani Resident of Tharghtwa,
P.S- Muffasil, Distt.- East Champaran
 2. Dharmendra Sahani @ Dhamendra Sahani S/o Ganga Sahani Resident of
Tharghtwa, P.S- Muffasil, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore Alias Kundan Kumar
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-08-2025 1. Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.
2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 126(2),
115(2), 118(1), 109, 303(2) and 3(5) of the BNS.
3. Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and petitioner no.
1 is aged about 70 years and the informant alleges that while he
was working in his field when his step-brother Ganga Sahani
(petitioner no. 1) along with his son Dharmendra Sahani
(petitioner no. 2) came and an altercation started regarding
cutting of branch of a tree, further petitioner no. 1 assaulted the



informant by farsa causing injury on head thereafter tried to repeat the bow but was caught by Kishori. It is next alleged that petitioner no. 2 assaulted the informant by lathi on leg and snatched his chain.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant on account of dispute relating to land. It is further submitted that petitioner no. 1 and the informant are step-brother, as such, animosity with regard to the property is prevailing between them. It is next submitted that no doubt, the petitioner no. 1 is alleged to have assaulted the informant by farsa causing injury on head but then the injury suffered by the injured is simple in nature which amply demonstrates that petitioner no. 1 never had any intention of committing a serious occurrence. It is also submitted that petitioner no. 1 is a senior citizen aged about 70 years and has remained a person with clean antecedent. It is submitted that as far as the petitioner no. 2 is concerned, the allegation against him of assaulting by lathi on leg and snatching of chain is ornamental.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioners but then are not in a position



to rebut the submission of the learned counsel appearing on behalf of the petitioners that injury suffered by the injured is simple in nature.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Mufassil P.S. Case No. 231 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Satyavrat Verma, J)

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