

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52866 of 2025

Arising Out of PS. Case No.-122 Year-2024 Thana- ASANWA District- Siwan

1. Jay Kumar Sahani @ Jay Prakash Sahani @ Jai Kumar, Son of Mohan Sahani
 2. Tribhuwan Sahani @ Tribhuwan Nishad son of Paltu Sahani
 3. Mankiya Devi wife of Mohan Sahani
 4. Mohan Sahani @ Mohan Lal son of Late Sukhlal Sahani
- All are Resident of Village - Tiyar, P.S. - Asaon, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate
For the Opposite Party/s : Ms.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-08-2025 Heard Mr. Bijay Prakash Singh, learned counsel

appearing on behalf of the petitioners and Ms. Gulnar Begum,

learned APP for the State.

2. The petitioners seek pre-arrest bail in connection

with Asaon P.S. Case No. 122 of 2024 registered for

the offence(s) punishable under Sections

126(2),115(2),118(2),109(1),76,352,351(2),303(2),3(5) of the

BNS.

3. As per the allegation made in the FIR, all the

accused persons including the petitioners with a common

intention to kill assaulted the informant and her family



members.

4. Learned counsel appearing on behalf of the petitioners submitted that there is case and counter case between the parties arising out of the same incidence. The injuries sustained by injured Dharmnath Sahani and Bhagmani Devi are simple in nature, whereas injury sustained by one Chameli Devi is grievous in nature. There is specific allegation against petitioner nos.1 & 2 that they have assaulted the said Chameli Devi and against rest of the petitioners, there is general and omnibus allegation against them. Petitioners have clean antecedents. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well, the conduct of the petitioner nos. **1 and 2** in the alleged offence, **I am not inclined to enlarge them on pre-arrest bail.**

7. **So far as petitioners nos. 3 and 4, above named, are concerned, in absence of any specific allegation against them, they are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District**



Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- III, Siwan / Concerned Court in connection with Asaon P.S. Case No. 122 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the **petitioners nos. 3 and 4** and if it is found that the **petitioners nos. 3 and 4** are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

9. The bail application stands disposed of.

(Purnendu Singh, J)

Sanjay/-

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