

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55742 of 2025**

Arising Out of PS. Case No.-29 Year-2025 Thana- BITHAN District- Samastipur

Raja Sahni, male, aged about 30 years, son of Hari Sahni, resident of village-  
Manorva, Khera, PS- Bitha, Dist- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arun Kumar, male, aged about 26 years, son of Shree Kamalu Mahto @  
Kamal Mahto, resident of village- Manorva, Khaira, ward no. 13, PS-  
Bithan, Dist- Samastipur

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate  
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      12-08-2025                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Bithan  
PS Case No.29 of 2025 dated 19.03.2025, instituted for the  
offence punishable under Sections 137(2), 87 of the *Bharatiya*  
*Nyaya Sanhita*, 2023.

3. The prosecution case, in brief, is that on the alleged  
date of occurrence the petitioner along with other accused  
armed with deadly weapons arrived at the house of the  
informant in a four-wheeler and threatened the informant's sister  
for having deposed against them in a pending criminal case.  
They threatened to kill her and ruin her entire family. It is



further alleged that the accused forcibly compelled the informant's sister to board the vehicle by instilling fear through display of countrymade pistol and acid and then fled towards Hasanpur.

4. Learned counsel for the petitioner submits that the date of occurrence is 05.03.2025 and the written report was submitted on 06.03.2025, but the formal FIR was registered on 19.03.2025. There is delay in registering the FIR. There is no explanation for the delay in registering the FIR. It is also submitted that the petitioner is the brother of co-accused, Arjun Sahani. There is love affairs between Arjun Sahani and the sister of the informant. Earlier, a case was registered against Arjun Sahani under Sections 363, 366-A/34 of the Indian Penal Code vide Trial No.26 of 2025. In the present case also, the allegation against the petitioner and his family members is of kidnapping of the same victim. Further submission is that the instant case has been lodged under Sections 137(2), 87 of the *Bharatiya Nyaya Sanhita*, 2023, for kidnapping of the victim, however, the real fact is that the informant's sister had appeared before the Court the Court of Exclusive Special Judge (Rape and POCSO), Samastipur, in Trial No.26 of 2025 and filed a petition stating that her family members had forced her to depose against the



petitioner's brother. It is also submitted that the petitioner being the brother of Arjun Sahani has been made accused in this case. Lastly, it is submitted that the petitioner is in custody since 09.04.2025 having clean antecedents and charge-sheet has been submitted in the case.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Exclusive Special Judge (Rape and POSCO), Samastipur, in Bithan PS Case No.29 of 2025.

7. The application stands allowed.

**(Khatim Reza, J)**

J. Alam/-

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