

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52627 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- HATHAURI District- Muzaffarpur

1. Ram Karan Sahani S/o- Thaga SAhani Village- Baluaha Ps- Hathori Dist- Muzaffarpur
2. Ramsresth Sahani S/o- Jugal Sahni @ Jugaul Sahani Village- Baluaha Ps- Hathori Dist- Muzaffarpur
3. Prabhu Sahani @ Prabhu Kumar Sahni S/o- Ram Karan Sahani Village- Baluaha Ps- Hathori Dist- Muzaffarpur
4. Sogarath Sahani S/o- Ramsresth Sahani Village- Baluaha Ps- Hathori Dist- Muzaffarpur
5. Daroga Sahani @ Vikesh Sahni S/o- Ramsresth SAhani Village- Baluaha Ps- Hathori Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-08-2025 Heard Mr. Manjeet Kumar Mishra, learned counsel

for the petitioners and Mr. Pranav Kumar, learned APP for the

State.

2. The petitioners are apprehending their arrest in
connection with Hathouri P.S. Case No. 38 of 2025, F.I.R. dated
07.03.2025 registered for the offences punishable under Sections
329(3), 352, 351(2), 74, 115(2), 118(1), 110, 303(2), 3(5) of the
B.N.S.

3. Allegation against the petitioners is that they along
with other co-accused persons have assaulted the informant and



his family members due to which they sustained injuries.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. In fact, due to some petty dispute, the present occurrence had taken place. Although, the petitioners are named in the F.I.R. but there is no specific allegation of any assault or overt act attributed against these petitioners.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and there is no specific allegation of any assault or overt act attributed against the petitioners, let the petitioners, above named, in the event of their 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Muzaffarpur East in connection with Hathouri P.S. Case No. 38 of 2025, subject to the conditions as laid down under Section 438(2)



of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023
and with other following conditions :-

(1) 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 bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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