

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56236 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- LAKHAURA District- East Champaran

1. Suresh Sahani S/O Late Bidya Sahani R/O Village- Ajgarwa, P.S- Lakhaura, Distt.- East Champaran.
2. Rupesh Sahani S/O Suresh Sahani R/O Village- Ajgarwa, P.S- Lakhaura, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar, Adv.
For the Opposite Party/s	:	Mr. Karandeep Kumar, Adv.
For the State	:	Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 19-09-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Lakhaura P.S. Case No. 114 of 2025 dated 25.04.2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 118(2), 109(1), 351(3) read with Section 3 (5) of the B.N.S.and Section 27 of the Arms Act.

3. As per the prosecution case, on 22.04.2025, the informant along with her husband was returning after cutting wheat plant to their home and when they reached near baba pool



then the petitioners and the co-accused persons came there and restrained the informant and her husband and they abused them. The petitioners told the informant and her husband to withdraw the earlier case Lakhaura P.S. Case No. 02 of 2025 and 20 of 2025 and threatened that if the said case was not withdrawn then they would be killed. Thereafter, the co-accused, Mukesh Sahni assaulted the informant's husband with sharp weapon (gadasa) which caused bleeding injury on the head of the informant's husband and he fell down on the ground then all the accused persons assaulted him with stick and iron rod. When the informant raised to save her husband then the co-accused, Dhiraj Sahni and Suresh Sahni (petitioner) and the other co-accused persons assaulted the informant and her husband with lathi, danda, stick and iron rod causing fracture injury on both the arms of the informant's husband. Thereafter, the injured was taken to the hospital for treatment.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Both the parties are agnates and there is a land dispute between them. Nothing has been recovered from the conscious possession of the petitioners. The doctor has examined the informant Radhika Devi and her husband Sukat



Sahani (injury report are annexed as Annexure-2 and Annexure-2/1 with the bail petition) found all the injuries are simple in nature except injury no. 2 of the informant and the injury nos. 4 and 5 of her husband are found to be grievous in nature but the said injuries are not specifically attributed to the petitioners. The co-accused person has already been granted regular bail by this court vide order dated 21.07.2025 passed in Cr. Misc. No. 46995/2025. The petitioner no. 1 has one criminal antecedent whereas the petitioner no. 2 has two criminal antecedents and the petitioners are on bail in the aforesaid cases as stated in para 3 of the bail petition.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, C.J.M., Motihari, East Champaran in connection



with Lakhaura P.S. Case No. 114 of 2025, subject to conditions as laid down under Section 482(2) of the B.N.S.S. with further conditions :-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

(ii) The Court below shall verify the criminal antecedent of the petitioners and at any stage, if it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bonds 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 same of verification.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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