

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60886 of 2025

Arising Out of PS. Case No.-112 Year-2025 Thana- Gadhiya Bazar District- East Champaran

1. Jaikunwar Sahani S/o- Kishundeo Sahani Resident of village- Kotiya, Ps- Garahiya Bazar Dist- East Champaran
2. Bholu Sahani S/o- Vishundeo Sahani Resident of village- Kotiya, Ps- Garahiya Bazar Dist- East Champaran
3. Kunti Devi W/o- Jaikunwar Sahani Resident of village- Kotiya, Ps- Garahiya Bazar Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-09-2025 Heard the parties.

2. The petitioners are apprehending arrest in connection with Garahiya Bazar P.S. Case No. 112 of 2025 instituted under Sections 191(2), 126(2), 115(2), 74, 118(1), 109, of the Bhartiya Nayay Sanhita, 2023 lodged on 31.05.2025 by the informant, Sunita Devi.

3. As per the prosecution story, the informant alleged that due to land dispute, the accused persons came, armed variously and the allegation is that Guddu Kumar gave 'Dab' blow to the sister-in-law, Jahari Devi on her head which was saved with the hand causing injury on it. They tried to take away



Dinesh Sahni, while the daughter came to rescue, Munna Sahni assaulted by iron rod on her head. Further allegation against Jaikunwar Sahni of using knife blow on the informant's neck. They were shifted Madhuban Primary Health Center which followed the FIR.

4. Learned counsel for the petitioners submit that exaggerated FIR is there, the injuries have been found to be superficial in nature though concedes that the petitioner nos. 1 and 3 have criminal antecedent.

5. Learned APP on the other hand opposes the prayer stating that beside Guddu Kumar, Munna, specific allegation is against this petitioner of giving knife blow on the neck of the informant.

6. Considering the submissions of the parties as also the materials on record, no case for anticipatory bail to Jaikunwar Sahni is made out, his case stands rejected.

7. So far as petitioner nos. 2 and 3 namely Bhola Sahani and Kunti Devi are concerned, omnibus allegation of presence is there, no role attributed, one of them is a lady, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioner nos. 2 and 3 namely Bhola Sahani



and Kunti Devi respectively be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Garahiya Bazar P.S. Case No. 112 of 2025 to the satisfaction of learned Judicial Magistrate-1st Class, Motihari, East Champaran subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner nos. 2 and 3 namely Bhola Sahani and Kunti Devi respectively who shall provide official document to show his/her bona fide;

(ii) the petitioner nos. 2 and 3 namely Bhola Sahani and Kunti Devi respectively shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner nos. 2 and 3 namely Bhola Sahani and Kunti Devi respectively shall co-operate in the investigation and make themselves available to the police as and when required;



(iv) the petitioner nos. 2 and 3 namely Bhola Sahani and Kunti Devi respectively shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner nos. 2 and 3 namely Bhola Sahani and Kunti Devi respectively shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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