

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66605 of 2025

Arising Out of PS. Case No.-234 Year-2024 Thana- HUSSAINGANJ District- Siwan

Akshay Kumar Sahni @ Akshay Sahni @ Ajay Sahni @ Achhe Kumar Sahni
@ Achhe Sahni, Son of Pannalal Sahani @ Pannalal Sahni @ Panala Sahni,
Resident of Village - Sareyan, Ps- Hussainganj, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-09-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Hussainganj P.S. Case No. 234 of 2024, registered for the
offences punishable under Sections 147, 148, 149, 341, 323,
324, 307, 326 and 504 of the Indian Penal Code.

3. Allegedly on account of a dispute as has arisen due
to parking of the motor bike, all the FIR named accused persons
including the petitioner assaulted the informant and others.
There is a specific allegation against the petitioner that he
assaulted one Imroz on his left back by means of *fasuli*.

4. Mr. Prashant Kumar, learned Advocate appearing



on behalf of the petitioner taking this Court through the FIR submitted that the entire story of causing *fasuli* blow over Imroz falls to the ground as during the course of investigation, neither any corresponding injury was found over the body of Imroz, nor it has been discussed in the impugned order. Further submission has been made that only on account of some dispute, which later on gave rise to communal disharmony, the name of the petitioner and others have been implicated in this case. Moreover, the alleged occurrence took place in the evening of 23.06.2024, but the present FIR came to be instituted on the next day evening on 24.06.2024. The delay has not been explained and, as such, the deliberation and false implication cannot be ruled out. It is lastly contended that be that as it may, the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation and the proceeding of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits that three persons have sustained grievous injury and the allegation has been levelled against all the accused persons, the complicity of the petitioner in the crime cannot be ruled out.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of



the allegation and the absence of corresponding injury, coupled with the fair antecedent and the delay in lodging of the FIR, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-I, Siwan in connection with Hussainganj P.S. Case No. 234 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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