

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61424 of 2025

Arising Out of PS. Case No.-123 Year-2025 Thana- LAKHAURA District- East Champaran

1. Meghnath Sahani, S/O Jay Prakash Sahani @ Om Prakash Sahani, R/O Village- Lakhaura Brahm Tola, P.s.- Lakhaura, District- East Champaran
2. Nagina Devi, W/O Jay Prakash Sahani @ Om Prakash Sahani, R/O Village- Lakhaura Brahm Tola, P.s.- Lakhaura, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raki Alam, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-09-2025 Heard learned Advocate appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Lakhaura P.S. Case No. 123 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 118(2), 109(1), 303(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita.

3. Allegedly on the fateful day, on account of a dispute relating to grazing of the cow, all the FIR named accused persons brutally assaulted the informant and his mother. There is a specific allegation against co-accused Jay Prakash



Sahani of inflicting iron rod blow on the head of the mother of the informant, due to which she sustained serious injury. There is allegation against the petitioner no. 2 of snatching gold chain worth Rs. 45,000/-.

4. Learned Advocate appearing on behalf of the petitioners submitted that there is counter version of the present case being Lakhuara P.S. Case No. 128 of 2025 instituted by the members of the petitioners' side. In fact, on account of a trifle, both the parties have entered into a scuffle resulting into unfortunate injuries, however, even if taken to be true for the sake of argument, that is against co-accused Jay Prakash Sahani. There is no specific allegation of any overt act against the petitioners. The petitioner no.1 is a man of fair antecedent whereas the petitioner no. 2 is an accused in another case, however she is on bail. The occurrence is alleged to have taken place on 27.04.2025 and the FIR has been forwarded to the concerned police station on 30.04.2025 and thereupon, it was registered on 01.05.2025.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application.

6. Having considered the omnibus nature of allegation coupled with the fact that the grievous injury sustained to the



informant is attributed to co-accused Jay Prakash Sahani coupled with the delay in lodging of the FIR, let the petitioners above named be released on bail, in the event of their 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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Lakhuara P.S. Case No. 123 of 2025, 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)

supratim/-

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