

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69658 of 2025

Arising Out of PS. Case No.-79 Year-2016 Thana- HARSIDHI District- East Champaran

1. Mahendra Sahani S/O Jamdar Sahani R/O Village- Gayghat, P.S- Harsidhi, Distt.- East Champaran.
2. Anand Sahani S/O Mahendra Sahani R/O Village- Gayghat, P.S- Harsidhi, Distt.- East Champaran.
3. Manoj Sahani S/O Mahendra Sahani R/O Village- Gayghat, P.S- Harsidhi, Distt.- East Champaran.
4. Shiv Pujan Sah S/O Ramwatar Sah @ Ramautar Sah R/O Village- Gayghat, P.S- Harsidhi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 24-09-2025 Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners apprehends their arrest in connection with Harsidhi P.S. Case No. 79 of 2016, dated 10.03.2016, registered under Sections 147, 149, 341, 323, 307, 379, 506 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 10.03.2026 at about 8.00 A.M. the informant was constructed his house, then Mahendra Sahani, Anand Sahani, Manoj Sahani, Amit Kumar @ Adarsh Kumar, Sumit Kumar, Nagmani @Anubhaw



Kumar, Raja Babu @ Pappu Pankaj, Shiv Pujan Sah and 8-10 unknown persons came with weapons in their hands, they all started assaulting his family members. Amit Kumar and Sumit Kumar assaulted them with desi katta. Mahendra Sahani, Anand Sahani, Manoj Sahani and Santosh Kumar Singh, they all assaulted with lathi and danda, due to which they got injured. They all took away two gold chain, Rs.50,000/- cash and mobile and also said that if you constructed on the land, then your entire family will be killed.

4. It is submitted by the learned counsel for the petitioners that allegations levelled against these petitioners are general and omnibus. The injury of the informant on his left palm and skin with swelling, caused by hard and blunt substance, the treating Doctor opined that the said injury is simple in nature. Earlier these petitioners were given benefit of Section 41(1) of the Cr.P.C. by the Police and thereafter petitioners were gone to outside of State for their livelihood and they have no knowledge regarding submission of charge-sheet and status of this case was brought to the knowledge by the local Chowkidar. There is no criminal antecedent against these petitioners.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts that the injury is said to have



been sustained by the informant and his family members are simple in nature, the petitioners have extended benefit of Section 41(1) of the Cr.P.C. and the allegations levelled against these petitioners are general and omnibus, let the above named petitioners, be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each, to the satisfaction of the learned C.J.M, East Champaran, Motihari in connection with Harsidhi P.S. Case No. 79 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner (s) who shall provide official document to show his/her bona fide;

(ii) the petitioner (s) 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 his/her/their bail bond by the Trial Court itself;

(iii) the petitioner (s) 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;

(iv) the petitioner (s) 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.

(Ajit Kumar, J)

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