

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77282 of 2025

Arising Out of PS. Case No.-181 Year-2025 Thana- VAISHALI District- Vaishali

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1. Bala Kumar @ Neeraj Kumar S/o- Hiralal Sahani Resident of Village- Chakmauf PS- Vaishali (Belsar OP) Dist- Vaishali
 2. Ritik Kumar S/o- Shyambabu Sahani Resident of Village- Chakmauf PS- Vaishali (Belsar OP) Dist- Vaishali
 3. Rambabu Sahani S/o- Gugul Sahani @ Jugal Sahani Resident of Village- Chakmauf PS- Vaishali (Belsar OP) Dist- Vaishali
 4. Umesh Sahani @ Umesh Kumar S/o- Rijhan Sahani Resident of Village- Chakmauf PS- Vaishali (Belsar OP) Dist- Vaishali
 5. Jitan Sahani @ Jitendra Sahani S/o- Late Bihari Sahani Resident of Village- Chakmauf PS- Vaishali (Belsar OP) Dist- Vaishali
 6. Rijhan Sahani S/o- Late Bihari Sahani Resident of Village- Chakmauf PS- Vaishali (Belsar OP) Dist- Vaishali
 7. Vivek Kumar S/o- Jitan Sahani Resident of Village- Chakmauf PS- Vaishali (Belsar OP) Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 17-11-2025 1. Heard learned counsel for the petitioners and Mr. Chandra Bhushan Prasad, learned A.P.P. for the State.
2. Learned counsel for the petitioners submits that petitioner no. 3, namely, Rambabu Sahani, during pendency of the anticipatory bail application was arrested, thus, seeks permission to withdraw the same.
3. Permission is accorded.
4. Accordingly, the anticipatory bail application is dismissed as withdrawn with respect to the petitioner no. 3.



5. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 126(2), 115(2), 118(1), 109(1), 76, 352 and 351(2) of the BNS.

6. Learned counsel for the petitioners submits that petitioners no. 1, 2 and 4 to 7 are persons with clean antecedent and the informant alleges that on 22.03.2025 he was going to buy medicine when he was intercepted by the accused persons including the petitioners and they started abusing. On protest, they assaulted by an iron rod causing injury on the head of the informant, accordingly, he was taken to the PHC and thereafter the accused persons came to his house and assaulted his mother. Further, when Niraj Sahani, Mithlesh Kumar and Vikram Kumar came to save her, they were also assaulted causing injury on their head. It is next alleged that Umesh Sahani, Vivek Kumar and Rambabu Sahani assaulted Niraj Sahani by an iron rod, chain etc. causing injury on his head.

7. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that the date of occurrence is 22.03.2025 and the FIR came to be instituted on 07.04.2025 i.e. after a delay of 16 days without any plausible explanation and from the side of the petitioners Vaishali P.S. Case No. 167 of 2025 was instituted against the informant and his side. It is next



submitted that fardbeyan of the informant of Vaishali P.S. Case No. 167 of 2025 was recorded on 22.03.2025 and the FIR came to be instituted on 31.03.2025, as such, the instant FIR is a counterblast. It is also submitted that even the injury suffered by the injured has been opined to be simple and Umesh Sahani, Vivek Kumar and Rambabu Sahani though are alleged to have assaulted Niraj Sahani but then the allegation of assault is not specific.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

9. Considering the submissions made by the learned counsel for the petitioners no. 1, 2 and 4 to 7, let the petitioners no. 1, 2 and 4 to 7 above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Vaishali (Belsar O.P.) P.S. Case No. 181 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Satyavrat Verma, J)

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