

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71629 of 2025

Arising Out of PS. Case No.-213 Year-2025 Thana- DARIYAPUR District- Saran

1. Anil Kumar @ Anil Sahni S/o Rajkishor Sahni R/o Village - Sumerpatti, P.S - Dariyapur, District - Saran
2. Manish Sahni @ Manish Kumar Sahni S/o Algu Sahni R/o Village - Sumerpatti, P.S - Dariyapur, District - Saran
3. Arjun Sahni @ Arjun Kumar S/o Algu Sahni R/o Village - Sumerpatti, P.S - Dariyapur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raushan Raj, Adv.

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 15-11-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Dariyapur P.S. Case No. 213/2025 instituted under Sections 126(2), 115(2), 329(3), 118(1), 109, 303(2), 352, 351(2), 3(5) of the BNS, 2023 lodged on 21.04.2025 by the informant, Maya Devi.

3. As per the prosecution story it has been alleged that on 21.04.2025, while the informant was sitting at her door along with her eldest son, Mukesh Kumar Sahni, due to prior land dispute, all the accused persons including the petitioners being all armed with deadly weapons, came there and started abusing. Petitioner No.1, Manish Sahni gave a rod blow on the head of the informant who fell down on the ground and became



unconscious. When the informant's son, Mukesh Kumar Sahni came to rescue her, petitioner no.3, Arjun Sahni gave a blow by means of *gadasi* to him and Anil Sahni (petitioner no.1) and Subash Sahni assaulted him by *lathi* and *labda*. It has further been alleged that a golden chain from the neck of the informant was also snatched and a threatening of killing was also given. Accordingly, the FIR

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case on the basis of false and fabricated allegation and they have not committed any offence as alleged in the FIR. It has next been submitted that the petitioners have jointly assaulted the informant and her son who are said to have sustained injuries. The injury reports have also been appended to buttress his submission and by taking this Court to Annexure P/4 (injury report) that the injuries are simple in nature. It has next been submitted that there is a counter version to the entire incident and the father of petitioners no. 2 and 3 has lodged an FIR during course of treatment at PMCH, Patna in which Manish Sahni, petitioner no.2 is a witness to the same. Another FIR which is also appended with the present application and is annexed as Annexure P/3 is said to have been lodged by mother of



petitioner no.3 against the informant and her family members at subsequent stage for pressurizing and assaulting the family members of petitioners no. 2 and 3. Lastly, it has been submitted, by taking this Court to the supplementary affidavit and the statements made therein supported with the medical certificates and prescriptions, that father of petitioner no.1 is suffering from cancer and he is the only child to take care of him.

5. Learned APP vehemently opposes the prayer for anticipatory bail stating that the informant being a lady and her son have been assaulted by these petitioners, though there is case and counter case between the parties.

6. Considering the facts that there is case and counter case between the parties and the informant of this case has also assaulted the family members of the petitioners for which two FIRs have been registered by them, one for having assault and another for subsequently assaulting and threatening.

7. In view of the aforesaid, this Court is inclined to extend the petitioners the privilege of anticipatory bail.

8. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of six 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 aforesaid P.S. Case to the satisfaction of learned Judicial Magistrate- 1st Class, Saran at Chapra, subject to the conditions as laid down under Section 482(2) of the BNSS as also subject to the following conditions:-

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

(ii) the petitioners 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 petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners 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.

(Ajit Kumar, J)

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