

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70122 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- KHAJAULI District- Madhubani

1. Vishwanath Sahni S/o- Rajee Sahni Village- Kanhauli Mallik Tol P.S- Khajauli District-Madhubani
2. Raghunath Sahni S/o- Rajee Sahni Village- Kanhauli Mallik Tol P.S- Khajauli District-Madhubani
3. Rajee Sahni @ Rajo Sahani @ Raji Sahani S/o- Late Rijhan Sahni Village- Kanhauli Mallik Tol P.S- Khajauli District-Madhubani
4. Sunita Devi W/o- Vishwanath Sahni Village- Kanhauli Mallik Tol P.S- Khajauli District-Madhubani
5. Archana Devi W/o- Raghunath Sahni Village- Kanhauli Mallik Tol P.S- Khajauli District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-10-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 329(3), 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita.

3. As per prosecution case, on 02.06.2025 at about 9 AM, when informant along with his cousin brother was sitting in the house, all the F.I.R. named accused persons, including



these petitioners, armed with pistol, *lathi*, *danda*, *farsa*, came there and assaulted them. On protest, petitioner no. 1 and co-accused Baijnath Sahni fired upon the informant. Petitioner no. 2 assaulted on the head of informant as a result of which he sustained cut injury. It is further alleged that petitioner no. 5 snatched mobile phone of the wife of informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. He further contends that on account of land dispute, altercation took place between the parties in which both sides sustained injuries. Case and counter case. Allegation of assault is general and omnibus and there is no specific allegation of overt act against these petitioners. Injuries sustained by the injured are simple in nature. Rest of the allegations are ornamental only to make the case grave.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of accusation and simple injuries, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs.



10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhubani in connection with Khajauli P. S. Case No. 104 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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