

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69896 of 2025

Arising Out of PS. Case No.-118 Year-2024 Thana- PALANWA District- East Champaran

Vicky Sahani @ Biki Kumar Son of Sonraj Sahani RO, Village - Kharkatwa,
P.S. - Palanwa, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Mahavir Sahani Son of Late Ramtaran Sahani RO, Village - Kharkatwa, P.S.
- Palanwa, District - East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-10-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Palanwa P.S. Case No. 118 of 2024, registered for the
offences punishable under Sections 126(2), 115(2), 109, 118(2),
76, 303(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya
Sanhita.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent. It is next submitted
that informant alleges that his daughters aged about 18 and 16
years had gone to the temple and were sitting on the platform
when 6 named accused persons including the petitioner came



and started assaulting his daughters, further his younger daughter fell from the platform, thereafter Vicky (petitioner) and Horilal sat on her chest and started strangulating her on account of which she became unconscious and thereafter snatched her nose ring, further the injured was brought to the hospital where doctor disclosed that her vocal cord has been damaged and she may not be able to speak.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the date of occurrence is 12-8-2024 and the FIR came to be instituted on 16-8-2024, i.e., after a delay of 4 days, which cast an aspersion on the case of the prosecution. It is also submitted that petitioner was not even present at the place of occurrence when the occurrence is alleged to have taken place. It is next submitted that though in the FIR it is alleged that doctors opined that vocal cord of the daughter of the informant has been damaged but then the opinion is of private doctor.

5. The learned APP, Shri Chandra Bhushan Prasad, vehemently opposes the anticipatory bail application and submits that there is a specific allegation in the FIR that this petitioner along with Horilal assaulted the younger daughter of



the informant by sitting on her chest and even tried to strangle her on account of which she suffered injuries and had to be taken to the hospital. Learned APP further submits that it is normal that when occurrence of such nature takes place, the first reaction of the family members is to approach a private hospital. It is further submitted by the learned APP that it has been submitted by the learned counsel appearing on behalf of the petitioner that daughter of the informant has not suffered any injury but then the learned APP submits that the petitioner claims himself to be a co-villager of the informant and if the daughter of the informant had not suffered any injury in that event a specific stand ought to have been taken in the anticipatory bail application. It is also submitted that investigation is continuing.

6. Considering the submission made by learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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