

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74368 of 2025

Arising Out of PS. Case No.-348 Year-2025 Thana- LALGANJ District- Vaishali

1. Indal Sahni, son of Bhikhar Sahni,
2. Bhikhar Sahni Son of Late Sathu Sahni,
Both are residents of Village- Bilanpur, PS -Lalganj, District -Vashali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh, Advocate
For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-11-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Lalganj P.S. Case No. 348 of 2025, registered for the offences under Sections 126, 115 (2), 118, 109, 75, 303 (2), 329(3), 352, 351 (3), 3 (5) of BNS, 2023.

3. As per prosecution case, the petitioners and other co-accused persons, who were variously armed, attacked the house of the informant and assaulted the informant with *farsa* repeatedly causing a number of injuries to him. When the mother and the brothers of the informant came for his rescue, they were also assaulted and they too received a number of injuries. The assailants snatched gold *Mangalsutra* and



Rs.4,000/- from the brother of the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. There is general and omnibus allegations against a number of persons including the petitioners. The specific allegation against the petitioner no.1 Indal Sahni is of striking the informant with *farsa* repeatedly, but the injury report of the informant shows only laceration on three places of the head with description (i) 5 cm x 1.0 cm x 0.5 cm, (ii) 2 cm x 0.5 cm x 0.5 cm and (iii) 1 cm x 0.5 cm x 0.2 cm apart from bleeding from nose, swelling on left side of forehead, a laceration on base of right thumb and swelling and abrasion on right side of chest. However, none of the injuries have been caused by *farsa* for which allegation has been made against the petitioner no.1 Indal Sahni. Similarly, injury reports of other victims do not show any assault by any sharp or heavy cutting weapon. Though injuries of the victims are stated to be grievous, but the same is only due to fracture. There was no intention to cause death to any person. There is no specific allegation against the petitioner no.2. There is case and counter case between the parties and the petitioner no.2 has filed Lalganj P.S. Case No. 349/2025 for the occurrence of the same date. The parties are agnates and due to



demand of money by the petitioner no.1, the present case has been lodged. During course of investigation, independent witnesses have supported the case of both sides and stated that both the sides have received injuries in the scuffle. The petitioners are in custody since 25.07.2025 and charge sheet has been submitted. The petitioners are having clean antecedent.

5. Learned A.P.P. vehemently opposes the submission made on behalf of the petitioners.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the absence of injury attributed to the petitioners and further considering the submission of charge sheet, period of custody of the petitioners and their clean antecedent, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur/concerned court, in connection with Lalganj P.S. Case No. 348 of 2025, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.



(ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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