

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79730 of 2025

Arising Out of PS. Case No.-182 Year-2024 Thana- BANJARIA District- East Champaran

1. Shiv Sahani S/o Rameshwar Sahani R/o village - Chailaha, Ward no. 13, P.S - Banjariya, District - East Champaran
2. Ranjit Kumar @ Ranjit Sahani S/o Shiv Sahani R/o village - Chailaha, Ward no. 13, P.S - Banjariya, District - East Champaran
3. Pradip Sahani @ Pradip S/o Baidyanath Sahani R/o village - Chailaha, Ward no. 13, P.S - Banjariya, District - East Champaran
4. Chhotelal Sahani S/o Baidyanath Sahani R/o village - Chailaha, Ward no. 13, P.S - Banjariya, District - East Champaran
5. Vijay Kumar @ Bhulan Sahani @ Vijay Sahani S/o Bhagirath Sahani R/o village - Chailaha, Ward no. 13, P.S - Banjariya, District - East Champaran
6. Ajay Sahani S/o Bhagirath Sahani R/o village - Chailaha, Ward no. 13, P.S - Banjariya, District - East Champaran
7. Sonelal Sahani S/o Bhagirath Sahani R/o village - Chailaha, Ward no. 13, P.S - Banjariya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-12-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State, Sri Rabindra Kumar.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 190, 191(2)(3), 115(2), 118(1), 303(2), 324(2), 326(g), 352, 351(2) (3) of the Bharatiya Nyaya Sanhita.
3. Learned counsel for the petitioners submits that



petitioner nos. 1, 4 and 7 are persons with clean antecedent, petitioner Nos. 2, 5 and 6 have antecedent of one case and petitioner no. 3 has antecedent of two cases and the informant alleges that on 22-7-2024 at 7 PM, she heard hulla, accordingly came out of the house and saw the named accused persons including the petitioners along with 200 unknown accused persons, on orders of Bhagirath, accused persons entered the shop and looted articles worth Rs. 50 lakh and even assaulted her father-in-law, further Ajay, Sonalal and Pradip entered her house and took ornaments worth Rs. 7 lakh along with LIC policy, while Prabhu, Jay Prakash, Shatrughan, Sunil and Suresh looted four laptops and pen-drive worth Rs. 2 lakh and the accused persons set the shop on fire causing loss of Rs. 1 crore and also set ablaze 5 motorcycles, it is next alleged that there is a land dispute with her cousin father-in-law, Raj Kumar, and the occurrence was committed at his behest.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that if the accused persons were interested in committing loot, in that event 200 unknown accused would not have come to the place of occurrence. It is further submitted that issue was something else. It is next



submitted that Suresh instituted Banjariya PS case No. 170 of 2024 alleging that son of the present informant fired at Naresh causing injury on head leading to his death. It is submitted that the instant case is a counter-blast. It is also submitted that the date of occurrence is 22-7-2024 and the FIR came to be instituted on 26-7-2024, i.e., after a delay of four days. It is reiterated and submitted that the instant case has been instituted with a view to coerce the petitioners into submission so that they do not pursue Banjariya PS Case No. 170 of 2024. It is also submitted that petitioners will not abscond rather will co-operate in the investigation to prove their innocence.

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

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners 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 Banjariya P.S. Case No. 182 of 2024, subject to the conditions as laid



down under Section 482 (2) of the BNSS.

6. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners, despite giving assurance to this Court, are not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

7. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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