

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84804 of 2025

Arising Out of PS. Case No.-226 Year-2025 Thana- BAHERA District- Darbhanga

Lalit Sahani S/O Late Faguni Sahani R/O Vill - Ghonghiya, P.s.- Bahera,
Dist.-Darbhanga

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Girish Chandra Jha, Advocate
For the Opposite Party/s :	Mr. Shailendra Kumar, APP
For the Informant :	Mr. Shailendra Kumar Jha, Advocate
	Mr Munna Kumar Upadhyay, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-12-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

02. In the present case, the petitioner seeks bail in connection with Bahera P.S. Case No. 226 of 2025 registered for the alleged offences under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, when the son of the informant went to the house of the petitioner, asking for repayment of loan of Rs. 10,000/- given a year back, he was assaulted by slaps and fists by petitioner and other co-accused persons and one of the co-accused persons struck him with *farsa* on his head. When the informant went to save him, he was also assaulted with rod by this petitioner on his head but the blow landed on his neck. Co-accused, Maharaj Sahani, took out Rs.



5,000/- from the pocket of the informant and also took away his watch worth Rs. 25,000/-

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits that only allegation against the petitioner is of giving a blow of iron rod, but the injury report shows a lacerated wound on left ear of size 3cm x 0.5 cm and this falsifies the allegation of giving blow of rod on head or neck against the petitioner. There is counter version and sister-in-law of the petitioner, Tara Devi, has lodged Bahera P.S. Case No. 232 of 2025 against the informant and others for the occurrence of same date. Learned counsel further submits that the parties are agnates and there is long standing dispute between them. The injuries of the informant and his son were found to be simple in nature. The petitioner is in custody since 29.10.2025 and charge-sheet has been submitted. The petitioner is having antecedent of two cases.

05. Learned APP for the State as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that there is specific allegation against this petitioner of giving iron rod blow, which was given on vital party of the body.



06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case of the parties and further considering the simple and superficial nature of injuries and also considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Benipur, Darbhanga/court concerned in connection with Bahera P.S. Case No. 126 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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