

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.103 of 2025**

Arising Out of PS. Case No.-154 Year-2024 Thana- BAJPATTI District- Sitamarhi

Rakesh Sahni Son of Sita Sahani village - Mahuain , P. S - Bajpatti , District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Adv.
For the Opposite Party/s : Mr. Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Bajapatti P.S. Case No. 154 of 2024 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 325, 307, 354(B), 504 and 506 of the Indian Penal Code.

3. As per prosecution case, the accusation against the petitioner is of inflicting iron *Khanti* blow to the daughter of the Informant namely Radhika Kumari on her waist causing fracture injury. He also inflicted iron *Khanti* blow to her on her head causing head injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. He further submits that the date of occurrence is 30.05.2024 and the F.I.R. was lodged on 04.06.2024 i.e. after lapse of five days without any plausible explanation for such delay. The petitioner and the Informant are next door neighbour and a Partition Suit No. 57 of 2024 is already going on between them and the petitioner has falsely been implicated in the present case. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application.

5. Learned counsel for the petitioner further submits that the co-accused Uday Sahni has been granted regular bail by this Court vide order dated 04.12.2024 passed in Cr. Misc. No. 69333 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, stating that there is specific and direct allegation of *Khanti* blow upon the head of the daughter of the Informant due to which she sustained grievous head injury.

7. Considering the entire facts and circumstances of the case as also there being direct allegation of assault against the petitioner of assaulting the Informant's daughter by means of *Khanti*, this Court is not inclined to grant privilege of



anticipatory bail to the petitioner.

8. Accordingly, the prayer for anticipatory bail of the petitioner, above named, is rejected.

9. If the petitioner surrenders before the court below within a period of six weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

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