

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4718 of 2026**

Arising Out of PS. Case No.-170 Year-2025 Thana- SAHIYARA District- Sitamarhi

Kapal Sahni S/o- Late Shubalal Sahni @ Khublal Sahni R/v- Hanuman Nagar  
Ps- Sahiyara Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raghvendra Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

2      02-02-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 103(1) and 3(5) of the BNS.

3. The case of the prosecution, in short, is that this petitioner along with others were having scuffle with one Raushan Kumar. It is further alleged that the father of the informant, namely, Khobhari Sahani went there to settle the dispute. On this he was assaulted by all the accused persons with *lathi danda* due to which he died.

4. Learned counsel for the petitioner submits that the petitioner is an old man aged about 85 years. It has further been submitted that the nature of allegation is general and omnibus.



There is no specific allegation against this petitioner that he has assaulted the deceased. It has further been submitted by learned counsel for the petitioner that similarly situated co-accused Balli Sahani has been granted bail by this Court vide Cr. Misc. No. 91945 of 2025 and the case of this petitioner stands on similar footing. Learned counsel for the petitioner has lastly submitted that the petitioner is having no criminal antecedent and he is in judicial custody since 29.08.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the present bail application.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sahiyara P.S. Case No. 170 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JMFC, Sitamarhi.

(Ashok Kumar Pandey, J)

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