

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4465 of 2026

Arising Out of PS. Case No.-267 Year-2025 Thana- DURAULI District- Siwan

1. Rohit Kumar Sahani @ Rohit Sahani Son of Surendra Sahani @ Surendra Mallah Resident of Village- Amarpur Tola Barauli, P.S.- Darauli, District- Siwan
2. Surendra Sahani @ Surendra Mallah Son of Late Vishwanath Mallah Resident of Village- Amarpur Tola Barauli, P.S.- Darauli, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Raghav Prasad, Advocate Ms. Urmila Kumari, Advocate
For the State	:	Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 22-06-2026 Heard Mr. Raghav Prasad, learned counsel appearing on behalf of the petitioners and Mr. Pramod Kumar Pandey, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 352, 115(2), 118(2), 303(2), 76 and 3(5) of the B.N.S..

3. As per prosecution case, it is alleged that on 01.10.2025, all the F.I.R. named accused persons, including these petitioners, abused informant and her family members and on protest, Petitioner No. 1, namely Rohit Kumar Sahani, assaulted informant with iron rod. It is further alleged that when cousin brother of informant, namely Amit Yadav, came to her



rescue, Petitioner No. 2, namely Surendra Sahani, assaulted him with sword.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, the present case is counter-blast of Darauli P.S. Case No. 266 of 2025 which was lodged by wife of Petitioner No. 2 against informant and others and in retaliation and only with a view to save their skin from the aforesaid case, this false and concocted case has been lodged. Doctor has found the injuries, allegedly caused by Petitioner No. 2, simple in nature.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. and there is specific accusation that they abused and assaulted informant and her family members. One of the injuries sustained by the informant is grievous in nature.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation and nature of injuries allegedly caused by Petitioner No. 1, the prayer for grant of anticipatory bail to Petitioner No. 1 is rejected.

7. So far as Petitioner No. 2 is concerned, considering



the facts and circumstances of the case, nature of injuries allegedly caused by Petitioner No. 2 and case and counter-case between the parties, the prayer for grant of anticipatory bail to Petitioner No. 2 is allowed.

8. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner No. 2 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-II, Siwan in connection with Darauli P.S. Case No. 267 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

9. With the aforesaid directions, this application stands disposed of.

(Prabhat Kumar Singh, J)

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