

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9526 of 2026

Arising Out of PS. Case No.-190 Year-2025 Thana- MOHANPUR District- Samastipur

Sachin Kumar @ Sachin Sahni Son of Shravan Sahni Resident of Village -
Rasalpur, P.S. - Mohanpur, District - Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhay Shanker Singh, Adv.
For the State : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 26-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Mohanpur P.S. Case No. 190 of 2025 registered for the offences punishable under Sections 191(1), 192(2), 191(3), 115(2), 118(1), 126(2), 74, 109(1), 351(2), 352 of BNS, 2023.

3. As per prosecution case, petitioner and others armed with lathi, danda, rod and pistol arrived at the house of the informant and started abusing. Thereafter, all the accused persons assaulted the informant's daughter and husband. It is further alleged that petitioner and co-accused Amit Kumar assaulted informant's sister-in-law/ Arti Kumari by means of butt of pistol as a result of which informant's sister-in-law



sustained five stitch wound on the head.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that though informant claimed that photocopy of medical report of five stitch wound of victim Arti Kumari is annexed with the FIR but the same is not available on record. He further submits that there is specific allegation against the petitioner and co-accused Amit Kumar, who assaulted the informant's sister-in-law/ Arti Kumari by means of butt of pistol causing five stitch wound on her head but the injury as sustained by the victim Arti Kumari is only swelling on head which totally falsifies the allegation made in the prosecution story. He further submits that there is delay of three days in lodging the FIR as the alleged occurrence took place on 25.08.2025 and FIR was lodged on 28.08.2025 and no plausible explanation has been given regarding the said delay which questions the authenticity of the FIR. Prudently and pragmatically, it is beyond imagination that two persons having pistol in their hands are using butt of pistol for killing a person. In the light of aforesaid facts and circumstances of the case, no inference can be drawn that petitioner was having any intention



to kill the victim. It is further submitted at para-9 that though the doctor has advised the victim for C.T. Scan of head but victim has never got her C.T. Scan done which also falsifies the allegation made in the FIR. He further submits that victim Shweta Kumari also sustained simple injury as mentioned in the impugned order. Apart from that, petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that petitioner is FIR named accused and there is specific allegation against the petitioner and co-accused Amit Kumar who assaulted upon the head of victim Arti Kumari causing injury on head and hence, petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, injury report of victim Arti Kumari is not in consonance with the allegation made in the FIR, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand)



with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Shahpur Patori, District-Samastipur in connection with Mohanpur P.S. Case No. 190 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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