

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9644 of 2026

Arising Out of PS. Case No.-293 Year-2025 Thana- BHAGWANPUR District- Vaishali

1. Nitesh Sahni @ Nitesh Kumar S/o Vasudeo Sahni R/o Village - Raghunathpur Imadpur, P.S - Bhagwanpur, District - Vaishali
2. Manita Devi W/o Nitesh Sahni @ Nitesh Kumar R/o Village - Raghunathpur Imadpur, P.S - Bhagwanpur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate

For the Opposite Party/s : Ms. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in connection with Bhagwanpur P.S. Case No. 293 of 2025 instituted for the offences punishable under Sections 191(2), 191(3), 190, 118(2), 352, 351(2), 109, 115(2), 303(2), 118(1), 74 and 3(5) of the Bharatiya Nyaya Sanhita.

3. The allegation against the petitioner is that the petitioner no. 1 assaulted the informant on the head by means of sword and in trying to stop, she received a cut injury on her left hand, while the petitioner no. 2 is said to have poured hot oil on one Praveen Kumar and one Kishun Devi had also received one



injury.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated and, in fact, there was an altercation between the parties and in view of the same some injuries have been suffered by both the sides. It has been submitted that even the petitioners' side has lodged one case being Bhagwanpur P.S. Case No. 292 of 2025 against the informant of this case. It has been submitted that from perusal of the injury, as contained in the impugned order, the injuries upon Mukesh Sahani and Praveen Kumar were found to be simple in nature. It has also been submitted that a petty dispute has escalated to such extent that false case under Section 109 of the B.N.S. has been lodged. It has lastly been submitted that the petitioners have clean antecedent.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 293 of 2025, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioners and the other shall be a local resident;

(ii) the petitioners will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that they have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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