

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20836 of 2026

Arising Out of PS. Case No.-238 Year-2025 Thana- GOVINDGANJ District- East
Champaran

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1. Mohit Sahani @ Mohit Kumar S/o- Mahesh Sahani R/v- Sareya Ps-
Gobindganj Dist- East Champaran
 2. Prema Devi W/o- Mahesh Sahani R/v- Sareya Ps- Gobindganj Dist- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari, Advocate

For the Opposite Party/s : Mrs.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 08-04-2026 Heard Mr.Sanjay Kumar Tiwari, learned counsel for
the petitioners and the State.

2. The petitioners are apprehending arrest in connection with Govindganj Police Station Case No. 238 of 2025 for the offences punishable under sections 115(2), 126(2), 109, 303(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 lodged on 27.09.2025 by the informant, Rupkanti Devi.

3. As per the prosecution story, the informant alleged that on 05.09.2025, as she was sitting at her door, the accused persons wanted signature of the informant on property paper. On refusal, the petitioner no.1 gave iron rod blow on her head causing injury. As the husband came to rescue, Ranjan Kumar



and Prema Devi (petitioner no.2) entered the house of the informant and took away Rs.20,000/- as also silver jewellery. This led to the FIR.

4. Learned counsel for the petitioners submit that so far as the petitioner no.2 is concerned, ornamental allegation is there about taking away of jewellery and money. So far as the petitioner no.1 is concerned, the injury inflicted by him has been found to be simple in nature.

5. Last submission is that Irrespective of the outcome of the present case and/or accepting the allegation, the petitioners intend to contribute Rs. 2500/- each (totalling Rs.5000/-) to the lady informant through Demand Draft issued by the local State Bank of India branch/Any Nationalized Bank to be submitted before the concerned Court to be handed over to the informant lady informant after checking the credential.

6. Learned counsel for the informant opposes the prayer submitting that they wanted signature on the partition paper and upon refusal, the assault took place.

7. Considering the submissions of the parties as also that the injury has been found to be simple in nature, the petitioner has no criminal antecedent, in that background, this Court is inclined to extend them the privilege of anticipatory



bail subject to payment of Rs. 2500/- each (totalling Rs.5000/-) to the lady informant through Demand Draft issued by the local State Bank of India branch/Any Nationalized Bank to be submitted before the concerned Court to be handed over to the informant lady informant after checking the credential

8. Let the petitioners be released on bail, in the event of their arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Govindganj Police Station Case No. 238 of 2025 to the satisfaction of learned Additional Chief Judicial Magistrate-1st East Champaran, Motihari or its successor court subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;

(ii) The petitioners shall be appearing before the police station as and when required for cooperating in the investigation;



(iii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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