

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21269 of 2026

Arising Out of PS. Case No.-489 Year-2024 Thana- MADHUBAN District- East Champaran

Jairam Sahani @ Jayram Sahani Son of Saryug Sahani Resident of Village -
Manpurwa, P.S. - Madhuban, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-04-2026 Heard Mr. Madhurendra Kumar, learned counsel for
the petitioner and Mr. Parmanand Kumar, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Madhuban P.S. Case No. 489 of 2024, F.I.R. dated 16.11.2024 for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109 and 76 of the BNS, 2023.

3. According to prosecution case, all the accused persons including this petitioner have brutally assaulted the informant due to which she received severe injuries.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that it appears from the FIR



that the FIR is in two parts. According to part one, there is specific allegation against the co-accused persons Chhotu Sahani and Dharamjeet Sahani that they have assaulted to the informant and according to second part, there is general and omnibus allegation against all the accused persons including this petitioner. He further submits that the similarly situated co-accused, namely, Nawal Sahani @ Nawaljeet Sahani has been granted anticipatory bail by this Court vide order dated 08.01.2026 passed in Cr. Misc. No. 86750 of 2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one but fairly submits that he is on bail in both the pending matters. Apart from that the petitioner has actively participated in the present crime in question.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, East Champaran at Motihari in connection with



Madhuban P.S. Case No. 489 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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