

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25474 of 2026

Arising Out of PS. Case No.-238 Year-2025 Thana- KHANPURA District- Samastipur

Abhishek Kumar Sahni @ Abhishek Kumar @ Chiku @ Abhishek Kumar
Sahani S/o Mantun Sahni R/o Village - Vikrampatti, P.S - Khanpur, District -
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

Ms. Rani Shashi Bharti, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 24-07-2026 Heard Mr. Bijay Bhushan Prasad, learned Advocate
for the petitioner and Mr. Satyendra Narayan Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Khanpur P.S. Case No. 238 of 2025, registered for the
offenses punishable under Sections 126(2), 115(2), 109(1),
351(2), 352 and 3(5) of the B.N.S.

3. The allegation against the petitioner is of causing
assault over the head of the father of the informant by means of
iron rod, leading to serious injuries. There is further allegation
against other co-accused persons of causing assault and
threatening the father of the informant.

4. Learned Advocate for the petitioner submits that
surprisingly, the accusation as alleged in the FIR that the



occurrence took place on 01.10.2025, but the present FIR came to be instituted on 12.10.2025 after a delay of 11 days. The entire allegation attributed against the petitioner falls to the ground for the simple reason that during the course of medical examination of the injured, it transpired that the injury has been caused by a sharp-cut weapon and the nature of the injury is also reported to be simple. The informant is not an eye witness to the alleged occurrence and moreover, the petitioner is carrying fair antecedent.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that there is specific allegation against the petitioner that he assaulted over the vital part of the body of the informant's father, which may prove grievous and fatal.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of in-ordinate delay in lodging of the FIR, coupled with the simple nature of the injuries, besides the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his 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, upon furnishing bail bonds of Rs.10,000/-



(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Samastipur in connection with Khanpur P.S. Case No. 238 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

siddharth/-

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