

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29587 of 2026

Arising Out of PS. Case No.-258 Year-2025 Thana- KALYANPUR District- Samastipur

Jitendra Kumar @ Chhotu Sahni S/o Late Ram Vichar Sahni Resident of
Village- Bhagirathpur, P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 23.10.2025 in connection with Kalyanpur P.S. Case No. 258 of 2025 for the offences punishable under Sections 126(2), 115(2), 303(2), 109 and 3(5) of BNS.

3. The prosecution case in brief that on 17-7-2025 at about 6:30 P.M when the informant was going to Panjab from his house and reached near Rameshwar Jute Mill took e-rickshaw for station Meanwhile One Chotu Sahni (petitioner) and Anand Sahni who already present there took out informant from e- rickshaw. It is further alleged accused person tried to snatch informant's mobile. When informant made protest, the petitioner attacked over the petitioner by means of iron rod



which hit him over informant's face. Due to which informant get injured and his two teeth also get broken. The co- accused Anand Sahni tried to snatch informant's mobile. Meanwhile locals gathered, the accused persons took informant's gold Hanuman ji locket and fled away. The injured informant taken to hospital for treatment.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and it appears from the FIR that the date of occurrence as alleged in the FIR is 17.07.2025 but the present FIR has been instituted on 22.07.2025 i.e., after a delay of five days which suggests that it is an after thought FIR instituted so as to implicate the petitioner falsely. Learned counsel for the petitioner further submits that although there is specific allegation against the petitioner that he has assaulted the informant by means of iron rod and he has received the injury and the injury also suggests that the injury sustained by the informant is grievous in nature. It is next submitted that at the spur of the moment the present occurrence has taken place due to some petty dispute and there is no intention to kill anyone on the part of the petitioner. It is next submitted that the police after investigation has submitted charge-sheet and the petitioner is in custody since 23.10.2025.



5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the period of custody, let the petitioner, above named, 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 Court of CJM, Samastipur or its available successor Court in connection with Kalyanpur P.S. Case No. 258 of 2025, subject to the 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)

Gaurav Sinha/-

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