

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30680 of 2026

Arising Out of PS. Case No.-774 Year-2025 Thana- HARSIDHI District- East Champaran

Hakim Sahani S/o- Panna Lal Sahani Resident of village- Baban Dhabahi
P.S.- Harsidhi District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 05.02.2026 in connection with Harsidhi P.S. Case No. 774 of 2025 for the offences punishable under Sections 115(2), 117(2), 126(2), 76, 109, 303(2), 351, 352 and 3(5) of the BNS.

3. The case of the prosecution, in brief, is that on 22.11.2025 the Informant, namely, Nilam Devi, gave written statement to S.H.O., Harsidhi P.S. stating therein that on the alleged date of occurrence i.e. on 20.11.2025 at about 07:00 hours in the night, while the informant alongwith his family members were taking heat at their door, in the meantime co-accused, namely, Zalim Sahani, Jitesh Kumar and Vinod Sahani came on motorcycle and struck Girja Sahani and Shanti Devi, as a result of which, both hand of Girja Sahani was broken and hurt the Shanti Devi in her waist, thereafter, all the accused persons torn the cloth of the Shanti Devi, as a result of which,



she became disrobe. It has further been alleged that on rescue the informant's husband came there, then Hakim Sahani (petitioner), Rajharan Sahani, Mengu Kumar, Sonu Kumar, Pooja Kumari, Arun Sahani, Manu Kumar, Ritesh Kumar armed with deadly weapons came at the door of the informant and Hakim Sahani (petitioner) ordered to kill them, in the meantime, co-accused. Zalim Sahani. Vinod Sahani armed with farsa attacked on the head of the informant's husband, namely, Wakil Chaudhary, as a result of which, he sustained head injury with oozing. It has further been alleged that co-accused, namely, Rajharan Sahani, Mengu Kumar assaulted the informant with iron rod on her head, she saved herself but the said iron rod hit her left hand three fingers. It has further been alleged that Vinod Sahani stabbed to the informant's brother-in-law, namely, Mukhtar Sahani on his neck, thereafter, all the accused persons attacked with barchhi. It has further been alleged that all the accused persons assaulted with iron rod, lathi and co-accused, namely, Sonu Kumar and Pooja Kumari snatched gold chain from the neck of the informant worth Rs. 1,00,000/- (Rupees One Lac Only). It has further been alleged that co-accused, namely, Arun Sahani, Manu Kumar, Ritesh Kumar and other entered in the house of the informant and looted away



ornaments and other items from her house. Villagers came there, who taken the injured persons to Hospital for treatment.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and it appears from the FIR that due to some petty dispute the present occurrence has taken place although the petitioner is not named in the FIR. It is next submitted that from perusal of the FIR it appears that there is no direct and specific role assigned against the petitioner in the FIR when petitioner is only the order giver and his orders other accused persons have assaulted the informant and his family members. It is also submitted that there is no specific allegation that petitioner has assaulted anyone. It is also submitted that there is a case and counter-case between the parties and petitioner is in custody since 05.02.2026

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, 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 Chief Judicial Magistrate, East Champaran, Motihari or Successor Court in connection with Harsidhi P.S. Case No. 774 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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