

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34521 of 2026

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

1. Jalim Sahani @ Jalim @ Jalim Kumar S/o Late Panalal Sahani Resident of village - Babam Dhawahi, P.S - Harsidhi, District - East Champaran
2. Vinod Sahani @ Binod Sahani S/o Late Panalal Sahani Resident of village - Babam Dhawahi, P.S - Harsidhi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
For the Opposite Party/s	:	Mr. Kalyan Shankar, APP
For the Informant	:	Mr. Pawan Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-07-2026 Heard Mr. Abhishek Kumar, learned counsel for the petitioners, Mr. Pawan Kumar, learned counsel for the informant and Mr. Kalyan Shankar, learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners submits that during pendency of the bail application, the petitioner no. 1, namely, Jalim Sahani @ Jalim @ Jalim Kumar has been arrested. Hence, the present application with respect to petitioner no. 1 has become infructuous. Therefore, he seeks permission to withdraw the application with respect to petitioner no. 1.

3. Permission is accorded.



4. Accordingly, the present application stands dismissed as withdrawn as having become infructuous with respect to petitioner no. 1.

5. The petitioner no. 2 is apprehending his arrest in connection with Harsidhi P.S. Case No. 774 of 2025, F.I.R. dated 22.11.2025 for the offences punishable under Sections 115(2), 117(2), 126(2), 76, 109, 303(2), 351, 352 and 3(5) of the BNS, 2023.

6. According to prosecution case, all the accused persons including this petitioner assaulted the informant and her family members and looted ornaments and articles from her house worth Rs. 5 lakhs.

7. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It appears from the FIR that the petitioner has assaulted to one Mukhtar Sahani by means of knife and iron rod due to which he received injury but the injury report of Mukhtar Sahani, which was recorded in paragraph no. 22 of the case diary, suggest that the injury is simple in nature caused by hard and blunt object which does not goes with the allegation as alleged in the FIR against the petitioner.

8. The learned counsel for the informant as well as



learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner.

9. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and medical report does not support the allegation as alleged against him in the FIR, let the petitioner, namely, Vinod Sahani @ Binod Sahani, above named, in the event of his 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 Judicial Magistrate 1st Class, East Champaran, Motihari in connection with Harsidhi P.S. Case No. 774 of 2025, 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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