

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34653 of 2026

Arising Out of PS. Case No.-15 Year-2026 Thana- TARIYANI CHOWK District- Sheohar

1. Pinki Devi @ Pinky Devi @ Pinki Kumari W/O Jeetendra Kumar @ Jeetendra Sahni @ Jitendra Sahani Resident of village- Marhalla, P.S.- Tariyani, District-Sheohar.
2. Afsar Kumar @ Aphasar Kumar Son of Jagarnath Sahni. Resident of village- Marhalla, P.S.- Tariyani, District-Sheohar.
3. Sajneep Kumar @ Sajneet Kumar @ Sanjit Kumar @ Sanjeep Kumar Son of Feku Sahani @ Feku Sehni. Resident of village- Marhalla, P.S.- Tariyani, District-Sheohar.
4. Feku Sahani @ Feku Sehni son of Ramvriksh Sahani. Resident of village- Marhalla, P.S.- Tariyani, District-Sheohar.
5. Munna Kumar @ Munna Sahni @ Munna Sahani Son of Rambriksh Sahni. Resident of village- Marhalla, P.S.- Tariyani, District-Sheohar.
6. Jeetendra Kumar @ Jeetendra Sahni @ Jitendra Sahani Son of Jagarnath Sahni. Resident of village- Marhalla, P.S.- Tariyani, District-Sheohar.
7. Jagranath Sahni @ Jagarnath Sahani Son of Late Soman Sahni. Resident of village- Marhalla, P.S.- Tariyani, District-Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shanker Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR

ORAL ORDER

3 15-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest and undue harassment in connection with Tariyani P.S. Case No. 15 of 2026 instituted for the offences alleged under sections 126(2), 115(2), 118(1), 109(1), 76, 303(2), 352, 3(5) of B.N.S.



3. The prosecution story as stated by informant in the FIR is that on 15.01.2026 at 06:30 PM, all eleven accused persons named in the FIR acting in concert and with premeditated intent arrived near his house with arms over a dispute relating to construction of a "chhajja". They started abusing and suddenly assaulted Dhodhai Sahni, Ranjeet Kumar, and Lakhindra. The accused brutally attacked them using iron rods, sticks, and bricks, causing serious injuries and creating a situation of chaos at the spot. On hearing the commotion, nearby villagers gathered at the place of occurrence upon which the accused persons fled away. Thereafter, the injured were immediately taken to the Primary Health Centre, Tariyani, where they received medical treatment. Accordingly, the case has been instituted.

4. Learned counsel for the petitioners submitted that petitioners are innocent and have been falsely implicated in this case on account of petty land dispute and construction of "Chhajja" of house over their own land. He further submitted that, in this case the informant was aggressor and in fact, they had created nuisance. He further submitted that the injury sustained by the victim is simple in nature while the injury on shoulder is grievous in nature caused by hard and blunt



substance. The allegations made against the petitioners are general and omnibus in nature. It has further submitted that petitioner no. 2 Afsar Kumar @ Aphasar Kumar, is a student of I.Sc at Maguraha, Tariyani having passed his Secondary School Examination, 2025 with more than 85% marks and the false implication in the present case will ruin his career. He lastly submitted that, petitioners have got no criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, and the fact that petitioner no. 2 Afsar Kumar @ Aphasar Kumar, is a student of I.Sc and aged about 19 years pursuing his studies and the fact that, there is no direct allegation against petitioner no. 1 Pinki Devi, petitioner no. 4 Feku Sahani, petitioner no. 5 Munna Kumar, and petitioner no. 7 Jagarnath Sahni, let the petitioner nos. 1,4,5 and 7, in the event of arrest/surrender before the learned Court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Tariyani P.S. Case No. 15 of 2026, subject to the conditions as laid down under



Section 482(2) of the Bhartiya Nagarika Suraksha Sanhita, 2023.

7. So far as anticipatory bail of, petitioner no. 3 Sajneep Kumar @ Sanjeet Kumar @ Sanjit Kumar @ Sanjeep Kumar and petitioner no. 6 Jeetendra Kumar @ Jeetendra Sahni @ Jitendra Sahani, are concerned, considering the nature of allegation and gravity of offence and the fact that there is direct allegation of assault to the victim is against the petitioner nos. 3 & 6, in my view, this is not a fit case for anticipatory bail, in respect to the petitioner nos. 3 & 6.

8. Accordingly, the prayer for grant of anticipatory bail to the petitioner nos. 3 & 6 is, hereby rejected.

9. However, if the petitioner nos. 3 & 6 surrender before the learned Court below within a period of six weeks from today and pray for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Alok Kumar, J)

Anand/-

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