

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34724 of 2026

Arising Out of PS. Case No.-409 Year-2025 Thana- KOTWA District- East Champaran

1. Jhagru Sahani Son of Lt. Chanar Sahani Resident of Village- Barharwa Kala, P.S.- Kotwa, District- East Champaran.
2. Sunaina Devi W/- Ravindra Sahani Resident of Village- Barharwa Kala, P.S.- Kotwa, District- East Champaran.
3. Ravindra Sahani S/o Lt. Chanar Sahani Resident of Village- Barharwa Kala, P.S.- Kotwa, District- East Champaran.
4. Deepak Sahani S/o Ravindra Sahani Resident of Village- Barharwa Kala, P.S.- Kotwa, District- East Champaran.
5. Shiv Sahani S/o Chunnu Sahani Resident of Village- Barharwa Kala, P.S.- Kotwa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliari, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 25-05-2026 Heard learned counsel for the petitioners and
learned APP for the State through virtual mode.

2. The petitioners apprehend their arrest in connection with Kotwa P.S. Case No. 409 of 2025 registered on 21.11.2025 for the offences punishable under Sections 126(2), 127(2), 118(1), 115(2), 109(1), 76, 303(2), 352, 351(2), 3(5), 341, 342, 324, 323, 307, 354B, 379, 504, 506, 34 of B.N.S.

3. As per the FIR, the petitioners along-with other co-accused persons are said to have brutally assaulted the informants' side by means of deadly weapons, as a result of



which, they sustained injuries. Accordingly, the FIR.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Counsel for the petitioners further submits that there is a case and counter case between the parties for the same occurrence. The counter case bearing Kotwa P.S. Case No. 408 of 2025 has been filed by one of the co-accused of the present case namely, Battak Sahani against the informant and others and the said FIR is prior to the present FIR. Hence, the present FIR is a counter blast to the FIR bearing Kotwa P.S. Case No. 408 of 2025, which has been filed in order to save their skin. It has next been submitted that both the parties are close agnates and are having grudge against each other on account of land dispute. It has further been submitted the injuries are said to have been sustained by the informant's side but the injuries are found to be simple in nature. Only one injury is said to be serious in nature which has been received by one Balbir but the said injury is not on vital part. The petitioners have got clean antecedents and no allegation of overt-act has been levelled against these petitioners rather the specific allegation of overt-act is against the co-accused namely, Vikash Sahani who assaulted Urmila Devi by means of Farsa and Battak Sahani assaulted Budhan Sahani by



means of knife.

5. On the other hand, the learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the fact that no allegation of overt-act is against these petitioners rather the specific allegation of overt-act is against the co-accused namely, Vikash Sahani and Battak Sahani and the injuries sustained by informant and his family are simple in nature, the petitioners have got clean antecedents and there is case and counter case between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Motihari, East Champaran/Successor Court in connection with Kotwa P.S. Case No. 409 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-

(i) One of the bailors should be the family member/relative/ known of the petitioner(s) who shall provide official document/ personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear



on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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