

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40144 of 2026

Arising Out of PS. Case No.-234 Year-2024 Thana- HATHAURI District- Muzaffarpur

1. Bhikhari Sahni Son of Late Jogi Sahni Resident of village - Pitojhia, P.S.- Hathauri, Distt.- Muzaffarpur.
2. Praveen Kumar @ Parveen Sahni Son of Bhikhari Sahni Resident of village - Pitojhia, P.S.- Hathauri, Distt.- Muzaffarpur.
3. Avinash Kumar @ Shaheb Sahni Son of Bhikhari Sahni Resident of village - Pitojhia, P.S.- Hathauri, Distt.- Muzaffarpur.
4. Akash Kumar @ Akash Sahni Son of Bhikhari Sahni Resident of village - Pitojhia, P.S.- Hathauri, Distt.- Muzaffarpur.
5. Raja Kumar @ Raja Sahni Son of Ranjeet Sahni @ Dharikshan Sahni Resident of village - Pitojhia, P.S.- Hathauri, Distt.- Muzaffarpur.
6. Radheshyam Kumar @ Radhesyam Sahni Son of Dhariskshan Sahni @ Dharichhan Sahni Resident of village - Pitojhia, P.S.- Hathauri, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Ms. Bela Singh, Advocate
For the State	:	Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 28-07-2026 Heard the learned counsel for the petitioners and the learned A.P.P. appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Hathauri P.S. Case No.234 of 2024 for allegedly having committed offences under Sections 191(2), 191(3), 190, 126(2), 115(2), 329(3), 305, 352 and 351(2) of the B.N.S. as well as Section 27 of the Arms Act.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that on 06.12.2024 at about 10:00 p.m., all the accused



persons named in the First Information Report, including the petitioners came to the house of the informant on three motorcycles and started indiscriminate firing. On hearing the sound of firing, the informant and her family members went inside their house and, in the meantime, all the accused persons entered into the house of the informant and snatched gold chain and earring from the informant as well as took away Rs.1,00,000/- by breaking open a box and fled away.

4. The learned counsel for the petitioners submits that the present case is a counter blast of Hathauri P.S. Case No.233 of 2024 lodged by the petitioner no.1 against the husband of the informant and others under different sections of the B.N.S. and Section 27 of the Arms Act. She submits that the real fact is that the husband of the informant along with other persons named in the First Information Report of Hathauri P.S. Case No.233 of 2024 as well as 25-30 persons came to the house of the petitioners and damaged their motorcycle and other articles. They misbehaved with the female members and when the First Information Report was lodged by the petitioner no.1, in retaliation, the present First Information Report has been lodged. She submits that in the previous election, the daughter-in-law of the informant and the daughter-in-law of the petitioner no.1 were candidates for the post of *Mukhiya* in which the husband of the informant was



pressurizing the petitioners to withdraw the candidature of the daughter-in-law of the petitioner no.1 and ultimately the daughter-in-law of the informant lost the election, due to which dispute the present First Information has been lodged. She further submits that the petitioners no.1 and 2 have got two criminal antecedents, whereas the petitioner no.3 is an accused in three other cases. So far the petitioner no.5 is concerned, he is an accused in one another case and the petitioners no.4 and 6 have got clean antecedent.

5. *Per contra*, the learned A.P.P. for the State opposes the prayer for grant of anticipatory bail to the petitioners and submits that the allegation of indiscriminate firing has been levelled against all the accused persons and further some of the petitioners have got criminal antecedents therefore the petitioners do not deserve the privilege of anticipatory bail.

6. Having considered the rival submissions and after going through the records, it appears that the allegation of indiscriminate firing has been levelled against all the accused persons, however from perusal of the First Information Report itself, it would transpire that nobody was injured. Further, there is a case and counter case, which suggests that there was an altercation in between the parties and the present First Information Report has been lodged in retaliation of the First Information



Report lodged by the petitioner no.1. Further, the occurrence took place on 06.12.2024, however the First Information Report has been lodged on 09.12.2024.

7. Taking into consideration the facts aforesaid, let the petitioners, above-named, in the event of their arrest or surrender within a period of six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class (East), Muzaffarpur in connection with Hathauri P.S. Case No.234 of 2024, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court concerned shall take steps for cancellation of their bail bonds. 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.

(Ritesh Kumar, J.)

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