

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40632 of 2026

Arising Out of PS. Case No.-128 Year-2026 Thana- HARSIDHI District- East Champaran

1. Sukdeo Sahani S/o Yamuna Sahani R/o vill- Dudhahi, P.S- Harsidhi, District- East Champaran
2. Basudeo Sahani S/o Yamuna Sahani R/o vill- Dudhahi, P.S- Harsidhi, District- East Champaran
3. Suresh Sahani S/o Yamuna Sahani R/o vill- Dudhahi, P.S- Harsidhi, District- East Champaran
4. Vikash Kumar S/o Madan Sahani R/o vill- Dudhahi, P.S- Harsidhi, District- East Champaran
5. Bablu Kumar S/o Basudeo Sahani R/o vill- Dudhahi, P.S- Harsidhi, District- East Champaran
6. Raj Kumar S/o Sukdeo Sahani R/o vill- Dudhahi, P.S- Harsidhi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-07-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 115(2), 117(2), 121(2), 132, 195(2) and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioners submits that petitioners no. 1, 2 and 3 have antecedent of one case and petitioners no. 4, 5 and 6 are persons with clean antecedent and



the informant alleges that based on secret information, the police team reached village Dudhahi on 01.03.2026 where Neeraj and Sikandar who are named accused in Harsidhi PS Case No. 467 of 2024 were present in their house and the case related to Cyber offence but on seeing the police, they tried to flee but were apprehended and Neeraj threw a mobile phone which was also recovered. It is further alleged that while the accused persons were being taken to the Police Station, their family members and other villagers along with 25-30 unknown persons came armed with *lathi* and other weapons and obstructed the police in discharge of their official duty and even managed to free the apprehended accused. Thereafter, additional police force arrived at the spot with whose assistance 11 named accused persons were apprehended while the remaining accused managed to escape taking advantage of darkness.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, it is further submitted that petitioners are not related either to Neeraj or Sikandar rather are co-villagers. It is further submitted that since petitioners reside nearby to the house of Neeraj and Sikandar, as such, out of inquisitiveness they came at the place of occurrence to witness the ruckus when



they came to be implicated. It is also submitted, if privilege of anticipatory bail is granted, the petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the anticipatory bail application of the petitioners and submits that though a submission has been made that petitioners are not related Neeraj and Sikandar but then there is no averment to the said effect in the anticipatory bail application on which the learned counsel appearing on behalf of the petitioners submits that if privilege of anticipatory bail is granted, the petitioners at the time of surrender will also file an affidavit that they are not related to Sikandar and Neeraj in any manner rather are their co-villagers.

6. After hearing the learned counsel for the parties, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory 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 trial court where the case is pending/successor court in connection with Harsidhi P.S. Case No. 128 of 2026 subject to the conditions as laid



down under Section 482 (2) of the BNSS.

7. However, the petitioners at the time of surrender shall file an affidavit recording that they are not related to Neeraj or Sikandar in any manner and are their co-villagers.

8. The application stands allowed.

(Satyavrat Verma, J)

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