

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38074 of 2026

Arising Out of PS. Case No.-178 Year-2022 Thana- MINAPUR District- Muzaffarpur

Shivnath Sahni @ Shivnath S/o- Jagdish Sahni R/Village- Dharpur PS-
Minapur Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Minapur P.S. Case No. 178 of 2022 lodged on 25.04.2022, for the offence punishable under Sections 341, 323, 324, 307, 354 & 34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioner alleging that all the accused persons in connivance with each other entered in the house of the informant and assaulted and abused him. The allegation against the petitioner is that he has assaulted the informant by iron rod due to which, injury has been caused.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the informant and petitioner are *gotia* and for the same date and place of occurrence, there are case and counter case filed from both the sides. He submits that it is not the petitioner, rather, the informant's side who have assaulted the entire family members of the petitioner. In this regard, the petitioner himself has lodged FIR against the informant's side bearing Minapur P.S. Case No. 179 of 2022, whereas, the present case has been lodged from the informant's side bearing Minapur P.S. Case No. 178 of 2022. Counsel submits that the injury has been caused to both the sides and the dispute has occurred between the parties only on petty issue i.e. to say, keeping the *bhusa* in the house, as alleged in the FIR. He further submits that the petitioner has clean antecedent and he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that there are case and counter case filed from both the sides.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on bail, in



the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of J.M.F.C.-8, Muzaffarpur East, in connection with Minapur P.S. Case No. 178 of 2022, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023 with further conditions:-

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear before the Trial Court on each and every scheduled date, and failure to do so for two consecutive dates without any plausible reason/explanation shall be resulted into cancellation of his bail bonds by the Trial Court itself;

(Dr. Anshuman, J)

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