

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40151 of 2026

Arising Out of PS. Case No.-48 Year-2026 Thana- SHIKARGANJ District- East Champaran

Santosh Sahani @ Santosh Kumar S/O Ramchandra sahani R/O Vill.- Godiya,
P.s.- Shikarganj, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsha Shashwat

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 26.02.2026 in connection with Shikarganj P.S. Case No. 48 of 2026 for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2), 109, 303(2), 352, 351(2) of the BNS.

3. The case of the prosecution in brief is that on 25.02.2026 at about 12:45 P.M., the informant, Manish Kumar, son of Late Wakil Sahani, resident of village- Godiya, P.S. Shikarganj, District- East Champaran, submitted written report before the Officer-in-Charge, Shikarganj P.S., alleging therein that on 24.02.2026 at around 3:00 P.M. he was sitting at his doorstep when he got information from the villagers that some villagers were going to cut a mango tree in his mango orchard by force. When he went from his house to his orchard, he saw that 1. Santosh Sahni and 23 named accused armed with sharp



weapons were going to cut the mango tree. When he objected, Santosh Sahni, Suman Sahni, Ramchandra Sahni started abusing him and started hitting him with slaps, iron rods and sickles. When his uncle Mokhar Sahni, Inspector Sahni and brothers Rajneesh Sahni, Avneesh Sahni and cousin Madhurendra Sahni came to save him, other named accused came and Santosh Sahni hit his uncle Mokhtar Sahni on the head with an iron rod in his hand with the intention of killing him, due to which his head got cracked and started bleeding profusely. Dhamendra Kumar hit his uncle Mokhtar Sahni on his left hand with a stick, due to which his left hand got injured. His arm was broken. Jhakar Rai alias Dhakkar Rai, struck his uncle, Daroga Sahni, on the head with an axe, causing his head to split open and bleed, Suman Sahni, with the intention of killing him, struck Rajneesh Kumar on the head with an iron rod, causing his head to split open. Kapil Rai struck his cousin, Madhurendra Sahni, on the head with an iron pole. When Sahni tried to protect himself with his right hand, the blow struck him between his right wrist and finger, causing his right wrist to split. Kamlesh Rai took a pistol from his nephew, Santosh Kumar alias Suter Lal, and struck him on the head, causing a headache. Vinod Sahni took twenty thousand rupees from his uncle Mokhtar Sahni's pocket and



threatened him, saying, "This time, they'd only beat him up, but if he spoke out again, they would kill his entire family."

4. Learned counsel for the petitioner submits that petitioner although the petitioner is named in the FIR but from perusal of the FIR it appears that due to some petty dispute the present occurrence has taken place and there is no specific allegation of assault or overt act against the petitioner rather the allegations are general and omnibus in nature. Learned counsel for the petitioner next submits that police after investigation has submitted charge-sheet and petitioner is in custody since 26.02.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of eight cases other than the present case but fairly submits that out of eight cases petitioner is on bail in seven cases and the rest one case is pending for consideration before the court of competent law.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sikarashtra at Dhaka, Motihari,



East Champaran in connection with Shikarganj P.S. Case No. 48
of 2026, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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