

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44925 of 2026

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

1. Ramchandra Sahani Son of Amaras Sahani Resident of Village- Godiya, P.S.- Shikarganj, District- East Champaran.
2. Suman Sahani @ Suman Kumar Sahani Son of Ramchandra Sahani Resident of Village- Godiya, P.S.- Shikarganj, District- East Champaran.
3. Vinod Sahani Son of Ram Avatar Sahani @ Avatar Sahani Resident of Village- Tharghatwa, P.S.- Muffasil Motihari, District- East Champaran.
4. Jitendra Rai @ Jitendra Kumar Son of Jhakhar Rai Resident of Village- Belaghat, P.S.- Shikarganj, District- East Champaran.
5. Satyendra Kumar @ Satyendra Rai Son of Jhakhar Rai Resident of Village- Belaghat, P.S.- Shikarganj, District- East Champaran.
6. Dharmendra Kumar Son of Jhakhar Rai Resident of Village- Belaghat, P.S.- Shikarganj, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsha Shashwat, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RANJAN KUMAR JHA
ORAL ORDER

2 15-07-2026 Heard learned counsel for the petitioners, namely Sri Abhishek Kumar, and the learned A.P.P. for the State.

2. At the very outset, learned counsel for the petitioners submits that petitioner nos. 1 and 2 have been arrested during the pendency of this application. He, therefore, seeks permission to withdraw this application so far as petitioner nos. 1 and 2 are concerned.

3. Permission is accorded.

4. Accordingly, this application is dismissed as



withdrawn against petitioner nos. 1 and 2.

5. Now, surviving petitioner nos. 3, 4, 5, and 6 seek grant of anticipatory bail in connection with Shikarganj P.S. Case No. 49 of 2026, registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2), 109, 303(2), 352 and 351(2) of B.N.S.

6. The case of the prosecution, in short is that when the informant objected the accused persons forcibly cutting a mango tree in his orchard, the accused persons, armed with weapons, assaulted the informant and his family members. It is alleged that accused persons used iron rods, sickles, and an axe to inflict head and body injuries on the informant's uncle (Mokhtar Sahni), brother (Rajneesh Kumar), and other relatives, besides forcibly snatching Rs. 20,000/-.

7. Learned counsel for the petitioners submits that so far as petitioner nos. 3, 4, and 5 are concerned, there is no specific overt act or allegation of assault attributed to them in the F.I.R. As regards petitioner no. 6, it is submitted that while there is an allegation of assault on Mokhtar Sahni by means of a *lathi*, and though the injury on the hand of Mokhtar Sahni was found to be grievous in nature, the said injury is not on any vital part of the body.

8. Learned A.P.P. for the State opposes the prayer for



anticipatory bail.

9. Having heard the rival submissions of the parties and considering the facts and circumstances of the case, particularly that there is no specific overt act attributed against petitioner nos. 3, 4, and 5. The allegation of assault against petitioner no. 6 is on a non-vital part of the body, this Court is inclined to grant the privilege of anticipatory bail to Petitioner Nos. 3, 4, 5, and 6.

10. Accordingly, let the surviving petitioners, i.e. 3, 4, 5 and 6 in the event of their arrest or surrender before the learned court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty-Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Sikarahana at Dhaka, East Champaran, Motihari, in connection with Shikarganj P.S. Case No. 49 of 2026, subject to the conditions laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS).

(Ranjan Kumar Jha, J)

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