

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48913 of 2025

Arising Out of PS. Case No.-149 Year-2024 Thana- Raghunathpur District- East Champaran

Vikash Sahani @ Vikash Kumar Sahani, Son of Rajindar Sahni @ Lalbabu Sahani @ Lal Babu Chaudhary, Resident of village- Raghunathpur PS- Raghunathpur District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjana Srivastava, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 21-01-2026 Heard learned Advocate for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Raghunathpur P.S. Case No.149 of 2024 registered for the offences punishable under Sections 126(2), 127(2), 132, 109, 121(1), 121(2), 191(2), 191(3), 190, 74, 125 and 262 of the BNS.

3. On the fateful day, upon getting information that the petitioner, who is named accused in so many cases, is present in his house, the informant along with other police officials went to his house in order to nab him; in the meanwhile, the family members of the petitioner and other nearby local people surrounded the police party and started abusing and assaulting



them, due to which some of them sustained injuries. Taking benefit of the ruckus, the petitioner managed to flee away.

4. Learned Advocate for the petitioner, taking this Court through the FIR, contended that only on account of his past criminal antecedent, the name of the petitioner has been implicated in this case; however, without there being any specific accusation. Even if the allegation is taken to be true for the sake of argument, it is only alleged that noticing the police party the petitioner succeeded in fleeing away. There is no whisper that the petitioner was also instrumental in causing assault to the police personnel in any manner. In the aforesaid incident, other accused persons against whom there was allegation of causing assault to the police personnel, have been allowed the privilege of anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No.17824 of 2025, vide order dated 23.06.2025.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that six criminal antecedents, as has been disclosed in paragraph nos.3 to 5, clearly speaks about the involvement of the petitioner in the crime. The entire occurrence took place only in order to extend advantage to the petitioner of fleeing from the clutches of the police



personnel. The complicity of the petitioner cannot be ruled out.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the fact that other co-accused persons against whom there was specific accusation of causing assault, have been allowed the privilege of anticipatory bail by a co-ordinate Bench of this Court, besides the fact that there is no specific accusation against the petitioner of participation in the occurrence, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., East Champaran at Motihari in connection with Raghunathpur P.S. Case No.149 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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