

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51363 of 2026

Arising Out of PS. Case No.-53 Year-2026 Thana- HALAI District- Samastipur

1. Sita Devi W/o Devan Sahni R/o vill - Purushottampur Dakhili, Post- P. Halai, P.S.- Halai, Distt.- Samastipur
2. Dinkar Sahni @ Dinkar Kumar S/o Jagdish Sahni R/o vill - Purushottampur Dakhili, Post- P. Halai, P.S.- Halai, Distt.- Samastipur
3. Bittu Sahni @ Bitu Sahni S/o Rajan Sahni R/o vill - Purushottampur Dakhili, Post- P. Halai, P.S.- Halai, Distt.- Samastipur
4. Urmila Devi W/o Visandev Sahni @ Vishnudev Sahni R/o vill - Purushottampur Dakhili, Post- P. Halai, P.S.- Halai, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Halai P.S. Case No. 53 of 2026, dated 18.03.2026, lodged under Sections 126(2), 115(2), 117(2), 118(1), 109(1), 351(2), 352 and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, the FIR has been lodged against 11 named accused persons, including the present petitioners, alleging that all the accused persons reached the



house of the informant, started abusing him while carrying pistols and iron rods in their hands, and there is a general and omnibus allegation that, in a state of intoxication, they assaulted the informant's side, due to which injuries were caused.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that the informant and the petitioners are adjacent neighbours and, on account of a petty dispute which took place between the children of both the families, the entire families scuffled. Counsel further submits that, with respect to the same date and place of occurrence, there is a case and counter-case between the parties, which have been annexed as Annexure-P/1 and Annexure-P/3. Counsel also submits that there is only a general and omnibus allegation against the petitioners and their criminal antecedents are clean. Furthermore, counsel submits that the petitioners are ready to fulfil all the conditions whatsoever that may be imposed upon them.

5. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that, as per the pleadings, case and counter-case have been lodged between the parties.



6. Considering the facts and circumstances of the present case, particularly that case and counter-case have been lodged between the parties, let the above-named petitioners be released on bail, let the above-named petitioners be released on anticipatory 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) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of J.M. 1st Class, Sahpur Patori, Samastipur, in connection with Halai P.S. Case No. 53 of 2026, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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