

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55740 of 2025

Arising Out of PS. Case No.-233 Year-2024 Thana- HATHAURI District- Muzaffarpur

1. Lal Babu Sahni S/o Late Bathu Sahni Resident of Vill.- Pitaunjhia P.S.- Hathauri, Distt.- Muzaffarpur
2. Sanjeet Sahni @ Sanjeet Kumar Sahni S/o Lal Babu Sahni Resident of Vill.- Pitaunjhia P.S.- Hathauri, Distt.- Muzaffarpur
3. Ranjeet Sahni @ Ranjeet Kumar Sahni S/o Lal Babu Sahni Resident of Vill.- Pitaunjhia P.S.- Hathauri, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suman Kumar Verma, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 21-01-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Hathauri P.S. Case No.233 of 2024, F.I.R dated 09.12.2024 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 74, 324(4), 305, 352 and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on the night of 06.12.2024 at about 11:00 PM, the informant, Bhikhari Sahani of Village Pitaunjhia Sahani, witnessed a mob of around 25–30 persons, led by Lal Babu Sahani, who allegedly ordered the murder of the informant and looting of his house. The mob, including several named accused, began breaking the door, forcing the informant and his son to flee through the rear door.



Upon returning later, the informant found his wife, daughter-in-law, and granddaughter injured. The mob allegedly looted cash amounting to Rs.2,65,000, jewellery, and a mobile phone, and also damaged two motorcycles and 25 chairs. Empty cartridges were reportedly found in the courtyard, and allegations of misbehaviour with women were made. It is further alleged that Lal Babu Sahani is a habitual offender involved in several serious cases and that fear of him prevents witnesses from coming forward. On the basis of the written complaint dated 09.12.2024, Hathauri P.S. Case No.233/2024 was registered, and a search and seizure memo was prepared the same day.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case while petitioner No.1, namely, Lal Babu Sahni, was elected as Mukhiya and because of political rivalry between the informant and the petitioner's side, an altercation is said to have been taken place in which both the sides have received injuries. There is case and counter case which is lodged by the informant being Hathauri P.S. Case No.234 of 2024 under Sections 191(2), 191(3), 190, 126(2), 115(2), 329(23), 305, 351(2) of the B.N.S. and Section 27 of the Arms Act. Learned counsel for the petitioners further submits that petitioner No.2



and 3 are sons of petitioner No.1 and for ulterior reasons, they have been implicated in the present case and other co-accused persons have already been granted bail by a Co-ordinate Bench of this Court vide order dated 15.11.2025 passed in Cr. Misc. No.42758 of 2025.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that there is no specific allegation against the petitioners rather the allegations are general and omnibus in nature and other co-accused persons have already been granted bail by a Co-ordinate Bench of this Court vide order dated 15.11.2025 passed in Cr. Misc. No.42758 of 2025. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 Judicial Magistrate, 1st Class, 14th Muzaffarpur East, in connection with Hathauri P.S. Case No.233 of 2024, subject



to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

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

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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