

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58387 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- LAKHAURA District- East Champaran

1. Raju Sahani S/O Late Bidya Sahani Resident of village- Ajarwa, P.S.- Lakhaura, Dist.- East Champaran
2. Mithlesh Sahani @ Mithu Sahani S/O Raju Sahani Resident of village- Ajarwa, P.S.- Lakhaura, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Abhishek Kumar, Advocate Mr. Hemant Ray, Advocate
For the State	:	Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-01-2026 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 118(1), 117(2), 118(2), 109(1), 351(3) and 3(5) of the B.N.S. and Section 27 of the Arms Act.

3. As per the prosecution case, on 22.04.2025, when the informant along with her husband was returning home, in the meantime, all the F.I.R. named accused persons, including these petitioners, intercepted them and assaulted the informant's husband with sharp weapon. It is further alleged that when the informant went to save her husband, she was also assaulted by



the accused persons with *lathi*, *danda*, stick and iron rod.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, both parties are agnates and there is land dispute between them. Doctor has found all the injuries, sustained by the injured, simple in nature except Injury No. 2 of the informant and Injury Nos. 4 and 5 of her husband, which are found to be grievous in nature but the said injuries are not specifically attributed to these petitioners. It is further submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 19.09.2025 passed in *Cr. Misc. No. 56236 of 2025*.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, nature of injuries allegedly caused by these petitioners and claim based on parity, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named



petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Lakhaura P.S. Case No. 114 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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