

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70977 of 2025

Arising Out of PS. Case No.-63 Year-2024 Thana- Patauna District- Madhubani

Moti Lal Sahni S/o Badri Sahni R/o Vill- Kataiya, P.S-Patauna, Dist-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Adv.

For the Opposite Party/s : Mr. M.K.Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 11-02-2026 Heard learned Advocate appearing on behalf of the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Patauna P.S. Case No. 63 of 2024, registered for the offences punishable under Sections 126(1), 115(2), 137(2), 140(3), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Allegedly the son of the petitioner was in love with the daughter of co-accused Nagendra Sahani. On 09.09.2024, the accused persons including the petitioners brutally assaulted the son and when the informant came to his rescue, she was also threatened and assaulted. On 25.09.2024, his son went missing and his mobile number was found switched off.



4. Learned Advocate appearing on behalf of the petitioner contended that only on account of the fact that he being brother of the co-accused Nagendra Sahani, the name of the petitioner has been implicated in this case, without there being any material available on record.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submitted that from the impugned order it appears that the process under Section 82 has already been issued and the petitioner has been evading his arrest.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the mandate of the Apex Court in *Lavesh vs State (NCT of Delhi)*, (2012) 8 SCC 730 this Court is not acceded to the prayer for anticipatory bail of the petitioner, accordingly the prayer for bail of the petitioner stands rejected. However, if the petitioner surrenders before the learned Court below preferably within a period of four weeks from today, his prayer for bail shall be considered without being prejudiced by the order of this Court.

(Harish Kumar, J)

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