IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75763 of 2026

CNR No. BRHC011043942026

Arising Out of PS. Case No.-136 Year-2026 Thana- LAKHAURA District- East Champaran

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1. Chandradeo Sahani @ Chandradev Sahni @ Chandev Sahni S/o Late Sunnardeo Sahani Resident of Village - Lakhaura Purbari Tola, P.S. - Lakhaura, District - East Champaran.
2. Raj Kumar Sahani S/o Chandradeo Sahani @ Chandradev Sahani Resident of Village - Lakhaura Purbari Tola, P.S. - Lakhaura, District - East Champaran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-11-2026 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Lakhpura P.S. Case No. 136 of 2026 for the offence under sections 115(2), 126(2), 118(1), 109(1), 351(2), 352 and 3(5)of the B.N.S. lodged on 28.05.2026 by the informant, Mewalal Sahani.

3. As per the prosecution story, the informant alleged that he had gone to purchase vegetables when the accused persons assaulted him as also the family members which led to stitches on the head of Pannalal Sahani, Rinku Devi and the informant. This led to the FIR.

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4. Learned counsel for the petitioners submit that both are agnates, there is case and counter case, both sides have suffered, injuries as per the learned Session Judge observation are simple in nature. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioners on their own would like to contribute Rs.7,500/- each (totalling Rs.15,000/-) towards the medical assistance through Demand Draft issued by the local State Bank of India/any Nationalized Bank branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the three injured after checking the credentials.

5. Learned APP opposes the prayer submitting that the FIR clearly shows that the three injured had to go through the stitches.

6. Taking into account the submissions of the parties as also that the injuries have been found to be simple in nature, there is case and counter case, these petitioners do not have criminal antecedent, in that background, this Court is inclined to extend them the privilege of anticipatory bail with conditions subject to payment of Rs. 7,500/- each (totalling Rs.15,000/-) as undertaken by the learned counsel for the petitioner to be paid

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by Demand Draft of local State Bank of India branch/any Nationalized bank branch to be submitted to the Trial Court and handed over to the three injured persons equally i.e. Rs.5,000/-.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Lakhpura P.S. Case No. 136 of 2026 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her bona fide;

(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iv) the petitioners shall in no way try to induce or

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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;

(v) the petitioners 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.

(Rajiv Roy, J)

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