IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74343 of 2026

CNR No. BRHC011055392026

Arising Out of PS. Case No.-361 Year-2026 Thana- PATEPUR District- Vaishali

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1. Raushan Kumar, Son of Birendra Sahni, Resident Of Village - Saidpur Dumra, Police Station - Patepur , District - Vaishali
2. Birendra Sahni Son of Ram Ikbal Sahni @ Ram Ekbal Sahni Resident Of Village - Saidpur Dumra Police Station - Patepur , District - Vaishali

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Subhash Kumar, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 28-10-2026 Heard Mr. Subhash Kumar, learned counsel appearing on behalf of the petitioner and Mr. Lalan Kumar, learned APP for the State.

2. At the outset, learned counsel appearing on behalf of the petitioners seeks to withdraw the prayer for bail on behalf of petitioner no.2 Birendra Sahni submitting that the petitioner no.2 has been arrested during the pendency of the bail application.

3. In view of the above, the prayer for bail on behalf of petitioner no.2 Birendra Sahni stands dismissed as withdrawn.

4. The petitioner no. 1 seeks pre-arrest bail in

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connection with Patepur P.S. Case No. 361 of 2026, registered for the offence punishable under Sections 191(2), 190, 126(2), 115(2), 109, 118(1), 352 and 351(2) of the BNS.

5. As per the allegation made in the FIR, all the accused persons named therein, had allegedly assaulted the grandson of the informant causing injury.

6. Learned counsel appearing on behalf of the petitioner submitted that petitioner no. 1 is innocent and he has falsely been implicated in the present case. Petitioners and informant are agnate and general and omnibus allegation has been levelled against all the accused persons named in the FIR. Petitioner no. 1 has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

7. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

8. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, the allegation being general and omnibus, I am of the opinion that petitioner no. 1 has, *prima facie*, made out a case to be released on pre-arrest bail.

9. The petitioner no. 1, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or

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surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Patepur P.S. Case No. 361 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS.

10. **The learned District Court is directed to verify the criminal antecedent of the petitioner no. 1 as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner no. 1 as what has been stated in paragraph no. 3, this order will lose its force automatically.**

(Purnendu Singh, J)

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