IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78843 of 2026

CNR No. BRHC011106112026

Arising Out of PS. Case No.-325 Year-2026 Thana- SUGAULI District- East Champaran

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Brajesh Kumar S/o Babulal Sahani R/o Village - Sapaha Ghat, PS - Sugauli, District - East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rajesh Kumar, Advocate
: Mr. Manu Kumar, Advocate
For the State : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-11-2026 Heard Mr. Rajesh Kumar, learned counsel for the petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Sugauli P.S. Case No. 325 of 2026 registered for the offence under Sections 126(2), 115(2), 118(1), 117(2), 109(1), 303(2), 352, 351(2) and 3(5) of the B.N.S., lodged on 21.06.2026 by the informant, Panpati Devi.

3. As per the prosecution story, the informant alleged that the named accused came and after the abuse, the allegation is that on the instruction of Yadolal Sahni, Pardeshi Kumar Sahni gave farsa blow to her husband Jitendra Mukhiya causing fracture in the hand. Further, when Ramnarayan Kumar came to

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rescue, he was again assaulted by farsa.

4. Upendra Sahni gave ‘bhala’ blow to Ramayan Kumar causing injury in his hand while Sandeep Kumar gave iron rod blow to her husband causing injury on his right leg. Later, Harilal Sahni and Chandrashekhar Sahni gave lathi blow to Satyanarayan Kumar and Bhagyanarayan Kumar while Amit Kumar Sahni gave rod blow to Ramnarayan Kumar and Bhagyanarayan Kumar. When the lady came to the rescue, Shravan Kumar and Babulal Sahni resorted to assault and Shravan Kumar and Dhiraj Kumar also outraged her modesty. The other allegation is of taking away ornaments and cash amount. They were shifted to S.K.M.C.H., Muzaffarpur which followed the F.I.R.

5. Learned counsel for the petitioner submits that though he is named in the F.I.R., at no place, his role has been assigned. As recorded above, he is a young boy, student having no criminal antecedent.

6. Learned APP opposes the prayer submitting that all the named accused resorted to abuse/assault.

7. Taking into account the aforesaid submissions of the parties, this Court has taken note of the fact that each and every accused persons have been assigned role who assaulted

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the informant, husband, son and other relatives. So far as this petitioner is concerned, no role has been assigned and he do not have criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner 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) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Motihari, East Champaran, in connection with Sugauli P.S. Case No. 325 of 2026 subject to the following conditions:-

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

(ii) the petitioner 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 bail bond by the Trial Court itself;

(iii) the petitioner 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

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cancellation of the bail bonds;

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

(Rajiv Roy, J)

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