IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77922 of 2026

CNR No. BRHC011131622026

Arising Out of PS. Case No.-572 Year-2026 Thana- MOTIHARI MUFASIL District- East Champaran

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Jitendra Sahni Son of Babulal Sahni Resident of village - Sirsa Khap, P.S.- Motihari Muffasil, District- East Champaran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
Ms. Suhana Singh, Advocate
Ms. Pragati Kumari, Advocate

For the Opposite Party/s : Mrs. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 05-11-2026 Heard the learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Muffasil P.S. Case No.572 of 2026, F.I.R dated 02.09.2026 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 01.09.2026, while the informant was returning home, the petitioner and co-accused intercepted him near Suraj Thakur’s house, abused and

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assaulted him with a *dabila* and knife. The petitioner, Surendra Sahni, allegedly struck him on the head with a *dabila*, causing injuries, while the other accused assaulted him with fists and kicks, and Jitendra Sahani pressed his neck with his leg.

4. Learned counsel for the petitioner, by referring to the injury report recorded in the impugned order, which has been mentioned in reference of the paragraph 30 of the case diary, submits that the nature of injuries sustained by the informant does not implicate this petitioner in any manner, however, specific allegation of having assaulted the informant with *dabila* and knife, gets corroborated with the nature of injury sustained by the informant, which is against Surendra Sahni, who is not the petitioner in the present case. It has further been submitted that the petitioner has clean antecedent and undertakes to cooperate with the investigation / trial.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that there is nothing specific against this petitioner and the specific allegation of having assaulted the informant, is against Surendra Sahni, who is not the petitioner in the present case and the petitioner has clean antecedent. Accordingly, this Court is

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inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Muffasil P.S. Case No.572 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

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

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,

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failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) 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.

(Ajit Kumar, J)

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