IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80669 of 2026

CNR No. BRHC011173272026

Arising Out of PS. Case No.-196 Year-2026 Thana- KESARIA District- East Champaran

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Upendra Sahani Son of Bhagnarayan Sahani R/o - Lahargava, P.S.- Kesariya, Dist.- East Champaran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vishal Prasad, Advocate
Ms. Tripti Singh, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 05-11-2026 Heard the learned counsel for the petitioner and learned APP for the State.

2. Petitioner, who is in custody, seeks bail in connection with Kesariya P.S. Case No. 196 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 352 and 351(2) of the B.N.S.

3. As per the prosecution case, the petitioner is said to have assaulted the informant and others.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and even if the prosecution case is to be believed, then the two of the injuries sustained by the granddaughter of the informant were

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found to be simple in nature and one injury which was grievous was on the non-vital part of the body. It has been submitted that the prosecution side are close agnates and on account of some personal dispute the incident occurred on the heat of the moment. It has further been submitted that the charge-sheet has already been submitted and it has lastly been submitted that the petitioner has clean antecedent and he is in custody since 15.05.2026.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioner, above named, 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 court below where the case is pending/successor court in connection with Kesariya P.S. Case No. 196 of 2026, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two

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consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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