

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87550 of 2025

Arising Out of PS. Case No.-260 Year-2024 Thana- DARIYAPUR District- Saran

1.

Vishal Kumar Son of Manoj Sahani, Resident of Village - Sumerpatti, P.S.- Dariyapur, District - Saran at Chapra.
2.

Birbal Kumar @ Birbal Sahani Son of Naresh Sahani, Resident of Village - Sumerpatti, P.S.- Dariyapur, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate.
For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

- 2

12-01-2026

1.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

2.

The petitioners apprehend their arrest in connection with Dariyapur P.S. Case No.260 of 2024 instituted under Sections 147, 148, 149, 323, 307, 380, 386, 392, 427, 452, 504, 506 of the I.P.C. and Section 27 of the Arms Act.

3.

As per the prosecution case, the petitioners alongwith other co-accused persons entered in the house of complainant armed with *lathi-danda*, iron rod, *khanti* and country made pistol, assaulted the complainant very badly and took Rs.70,000/- from box, ornaments worth Rs.1,50,000/- and they also damaged the household articles worth Rs.50,000/-. It



is further alleged that when Meera Devi, Pintu Kumar, Rahul Kumar, Rambabu Sahni, Neeraj Kumar and Bhikan Sahni came to rescue the complainant, they were also assaulted by the accused persons.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case with ulterior motive. He further submits that there is inordinate delay in lodging the F.I.R. without any plausible explanation. Learned counsel submits that there is general and omnibus allegation against the petitioners and the injuries sustained by the victims are simple in nature. He further submits that the present case is counterblast of Dariyapur P.S. Case No.114 of 2024. Learned counsel submits that similarly situated co-accused persons have been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 10.12.2024 passed in Cr. Misc. No.75535 of 2024. He further submits that petitioners have got clean antecedent and they undertake to cooperate in the investigation and trial of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event



of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned J.M. 1st Class, Saran at Chapra in connection with Dariyapur P.S. Case No.260 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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