

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.91945 of 2025**

Arising Out of PS. Case No.-170 Year-2025 Thana- SAHIYARA District- Sitamarhi

Balli Sahni @ Bali Sahani S/o Late Saheb Sahni R/o village - Hanuman  
Nagar, P.S. - Sahiyara, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

2      29-01-2026                      Heard Mr. Santosh Kumar, learned counsel for the  
  
petitioner and Mr. Ram Anurag Singh, learned APP for the  
  
State.

2. The petitioner has prayed for bail in connection  
with Sahiyara P.S. Case No. 170 of 2025 registered for the  
offence punishable under Sections 103(1), 3(5) of the B.N.S.,  
2023.

3. The case of the prosecution in short is that on  
27.08.2025, the petitioner along with others were having scuffle  
with Roshan Kumar the father of the informant has gone to  
console the parties. It is alleged that the accused persons have  
assaulted him with *lathi-danda* due to which he died.

4. Learned counsel appearing on behalf of the  
petitioner has submitted that petitioner is innocent and has



committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner submits that from perusal of the FIR, it is clear that the nature of the allegation is general and omnibus. He also submits that from perusal of the postmortem report, it transpires that the board conducting the autopsy on the body of the deceased has found no external injury on his body, and the board has also opined that, in our opinion, the cause of death may be due to sudden cardiac arrest. He also submits that though from the perusal of the order of the learned trial court, according to the statements of the victim, the deceased was given 100 *lathi* blows but there is no any mark of injury on the body of the deceased. This falsifies the statement of the witnesses given during the course of investigation. He further submits that a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 29.08.2025.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class, Sitamarhi/Competent Jurisdiction in connection with Sahiyara P.S. Case No. 170 of 2025.

**7. Before parting, I would like to note that time and again, the doctors have been directed to write injury reports and postmortem reports either in block letters or in typed form. Despite the above directions, the doctors continue to write injury reports and postmortem reports like their prescriptions, which cannot be read by a common person.**

**8. The Civil Surgeon of Sitamarhi Hospital is, therefore, directed to take necessary action against the doctors who conducted the autopsy and prepared the postmortem report which is not legible.**

**(Ashok Kumar Pandey, J)**

Sudhanshu/-

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