

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 20th July, 2026

Present:- Dinesh Sharma, Principal District & Session Judge, Saharsa

A.B.P. No. 726/2026 (Arising out of Basnahi P.S. Case No. 69/2026)

Prahlad Sahni

... Petitioner Vs State of Bihar

In the matter of :-

Prahlad Sahni S/o Radhe Sahni

Resident of Village Balaitha, Ward. No. 1, P.S. Basnahi District Saharsa.

....Petitioner

Vs

State of Bihar

.....Opposite Party

Appearance :-

For the Petitioner :- Sri Upendra Jha, Advocate

For the State :- Sri Krishna Murari Prasad, Ld. P.P.

Sl. No.	Date of proceeding	Order with the signature of the court	Office action taken with date
	20.07.2026	This anticipatory bail petition has been filed on behalf of the petitioner namely Prahlad Sahni S/o Radhe Sahni who is apprehending his arrest in connection with Basnahi P.S. Case No. 69/2026 registered under Sections 126(2), 115(2), 118(1), 109(1), 303(2), 352, 351(2), 3(5) of BNS, 2023. 2. Heard the arguments of the learned counsel for the petitioner and the learned P.P. for the State. 3. It is submitted by the learned counsel for the accused petitioner that petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner bears criminal antecedent of one case in which he is on bail. It is further submitted that the alleged sections are not applicable against the petitioner and he has no manner of concern with the alleged incident. It is further submitted that there is case and counter case between the parties. It is further submitted that Section 109(1) of BNS, 2023 is added to make the case graver and non-bailable. It is further submitted that petitioner is a man of means and there is no chance of his absconding or tampering with the evidence and he is ready furnish sound sureties to the full satisfaction of the learned court. Upon these	

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<u>Cont/2</u> <u>20.07.2026</u>	grounds, the learned counsel prays to grant anticipatory bail to the petitioner. 4. On the other hand, the learned P.P. has vehemently opposed the prayer of anticipatory bail. 5. Rival submissions considered, Record perused. 6. The prosecution case, in brief, is that as per the written report of the informant Dinesh Sahni is that on 23.04.2024 at about 08:30 O'clock his cousin Akash Kumar and Munna Kumar were returning home from Mora Bazar with fish worth rs. 30,000/-. On the way near Mangala Bazar Pulia Prahlad Sahni and Deepak Kumar Sahni armed with deadly weapons lathi, danda and iron rod stopped them and robbed Rs. 30,000/- from them and fled away from there. Then he was on the way to Mahua Bazar then near the house of present Mukhiya, Deepak Sahni, Prahlad Sahni, Shravan Sahni, Manish Kumar, Radhey Sahni and Nitish Kumar all armed with lathi and iron rod started assaulting him. Prahlad Sahni assaulted on his head by iron rod with intention of killing due to which his head got lacerated. When Harinandan Kumar came to rescue him then the accused persons also beaten him due to which he sustained injury on his lips. Thereafter the accused persons fled away from there. 7. The petitioner is specifically named in the FIR. As per the allegation the petitioner alongwith co-accused Deepak Kumar robbed Rs. 30,000/- from the informant. Though the police has not invoked the section of robbery in the FIR. However from the allegation a clear case of robbery is made out. Robbery is one of the heinous offence of BNS. The robbed amount is yet to be recovered and for which the custodial interrogation of the petitioner is required. 8. Considering the facts and circumstances of the case, no case is made out to grant anticipatory bail to the petitioner. Resultantly the instant anticipatory bail petition of the petitioner namely Prahlad Sahni is hereby	
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rejected.

9. Before parting with this order, this court would like to observe that despite there being ingredients of robbery, the S.H.O. P.S. Basnahi has not invoked the relevant section of robbery in the FIR.

10. Considering the facts and circumstances, the Superintendent of Police, Saharsa is directed to inquire into the matter and file a report as to why the FIR was not registered in appropriate sections of law.

11. A copy of this order be sent to the Superintendent of Police, Saharsa for information and needful.

(Dictated)

Sd/-

(Dinesh Sharma)

Principal Sessions Judge,

20.07.2026

Date of Judgement/Order	20.07.2026
Date of Reserving Judgement/Order	18.07.2026
Uploading Date	27.07.2026
Uploaded by	Sachin Kumar