

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE - IV
DISTRICT – SHEOHAR**

Present – Aditya Pandey, District & Additional Sessions Judge

Anticipatory Bail Petition (A.B.P.) No. 173 / 2026

(Arising from Sheohar P.S. Case No. 91/2026 U/s. 303(2), 317(2), 3(5) B.N.S.)

1. Narayan Sahni, aged about 47 yrs,
2. Manoj Singh, aged about 45 yrs,

.....Petitioners

Versus

State of Bihar.....Opposite Party

Appearance -

For the Petitioners : Sri Dr. Manoj Kumar, Advocates

For the State : Sri Arshad Siddiqui, Addl. Public Prosecutor, Sheohar.

ORDER

18.05.2026

The learned advocates for the petitioners and the learned Additional Public Prosecutor have been heard at length. Perused the up to date copy of the case diary.

This petition for grant of anticipatory bail was filed on 15.04.2026 on behalf of the above-named two petitioners who apprehend arrest in connection with Sheohar P.S. Case No. 91/2026 registered on 06.03.2026 U/s. 303(2), 317(2), 3(5) B.N.S.

The prosecution's case in brief is that both the above named petitioners forcibly removed sixteen pieces of iron rods 20 mm kept at the plant for construction of bridge which were recovered and seized from the house of petitioner Manoj Singh on 06.03.2026.

It has been averred at the outset in para 2 of the petition that the petitioners have not previously filed any anticipatory bail petition before this Court or Hon'ble Patna High Court, and in para 3 that the petitioners have no criminal antecedent. It is further argued and submitted that the petitioners are innocent and falsely implicated in this case on account of village politics. It is

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18.05.2026 further submitted that the F.I.R. was completely vague in as much as the time of occurrence, the length, weight and price of rods and marks of identification thereon have not been specified in the F.I.R., as a matter of fact, the informant was employed as *munshi* in the project for construction of bridge and on an earlier occasion, he had an altercation with the petitioners on account of damage of crops belonging to the petitioners due to which this false case was instituted. It is therefore, prayed that the petitioners may be granted privilege of anticipatory bail.

The learned Additional Public Prosecutor has opposed the bail petition mainly on the ground that there is credible evidence to suggest the petitioners' involvement in commission of offence which is serious and non-bailable in nature and punishable with imprisonment for a term which may extend to three years and with fine.

Now, it transpires from perusal of record that the petitioners are named as accused in this case and the allegations have been supported by the informant and another witness in their statements as recorded during the investigation. It is notable from perusal of para 13 that the iron rods said to be stolen in this case were stated to be recovered from the house of petitioner Manoj Singh and a search-cum-seizure memo was prepared on the spot. However, it has been pointed out by the learned advocate for the petitioners that the seizure was not conducted in the presence of any independent witness. Moreover, it is not clear whether the iron rods said to be recovered from the petitioner's house were the same as said to be stolen in this case. It has been also pointed out that the iron rods were not specified in terms of length, quality etc. in order to indicate total value in the F.I.R. or in the search-cum-seizure memo. Hence, it was not clear if the stolen articles were valued more

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18.05.2026 than five thousand rupees in order to conclude that a non-bailable offence was committed. As per para 28 of the case diary, no criminal antecedent has been recorded against the petitioners.

In view of the above facts and circumstances, and also considering that the allegations pertained to offences punishable with imprisonment for a term less than seven years, I find it reasonable and proper to allow the prayer made on behalf of the petitioners. The petitioners are accordingly ordered to be enlarged in the event of arrest / surrender **within two weeks of receipt of the order** on bail upon furnishing bail bonds of **Rs.10,000** with **two sureties of like amount each** to the satisfaction of the learned trial Court, subject to **filing of undertaking in terms of section 482 (2) B.N.S.S.**

Let a copy of this order be sent to the learned trial Court for information and needful.

(Dictated & Corrected)

Sd/-

**Addl. Sessions Judge, IV
Sheohar**