

In the Court of Sessions Judge, Vaishali
A.B.P. No. 339/2026

1. Rohit Kumar, S/O- Dukhan Sahani, aged about 23 years,
 2. Karan Sahani, S/O- Dukhan Sahani, aged about 19 years,
 3. Rambalak Sahani, S/O- Mahabir Sahani, aged about 50 years,
 4. Alok Kumar, S/O- Rambalak Sahani, aged about 48 years,
 5. Upendra Sahni, S/O- Sonelal Sahani,
 6. Faret Kumar, S/O- Upendra Sahani, aged about 28 years,
 7. Rajesh Kumar, S/O- Upendra Sahani, aged about 24 years,
 8. Mukesh Kumar, S/O- Upendra Sahani, aged about 23 years,
 9. Kundan Kumar, S/O- Birendra Sahani, aged about 21 years,
 10. Lalita Devi, W/O- Rambalak Sahani, aged about 35 years,
 11. Mahasundar Devi, W/O- Dukhan Sahani, aged about 39 years,
 12. Lalpari Devi, W/O- Upendra Sahani, aged about 35 years,
- All R/O Vill.- Basti Sirsikan, P.S. Goraul Kathara, District-Vaishali

	-	Petitioners
Versus		
State of Bihar	-	O.P.

Appearance : -

Learned counsel for the petitioners : - Sri Shashi Bhushan Singh Subodh, advocate.

Learned counsel for the informant :- Sri. Amresh Kumar Singh, advocate.

Learned P.P. for the State : - Sri Shyam Babu Rai,

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order : 09th. March 2026

Heard the learned defence counsel as well as learned Public Prosecutor on the anticipatory bail application filed on behalf of the above named accused petitioners under section 482 of B.N.S.S. who are apprehending their

Present : Harshit Singh, Sessions Judge, Vaishali

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arrest in connection with Goraul(Kathara) P.S. Case No. 28/2026 for the offences u/ss. 126(2), 115(2), 118, 109(i), 352, 351(2) & 3(5) of B.N.S.

It is stated in Para 2 of the anticipatory bail petition that no bail application either anticipatory or regular has been filed in the present case either before this court of Sessions or before the Hon'ble High Court, Patna.

The case of the prosecution in brief, as per fardbayan of the informant Deepak Kumar is that on 06.01.2026 at about 07:00 A.M., the named accused persons namely 1. Rohit Kumar, 2. Karan Sahani, 3. Rambalak Sahani, 4. Alok Sahani, 5. Upendra Sahni, 6. Foret Kumar, 7. Rajesh Kumar, 8. Mukesh Kumar, 9. Kundan Kumar, 10.Lalita Devi, 11.Mahasundar Devi, 12.Lalpari Devi, armed with deadly weapons such as knife, iron rod and other weapons came to the house of the informant and started abusing and assaulted the informant's family members. Mahasundari Devi ordered the other co-accused of this case to burn the house and on noise, the informant woke up then Rohit Kumar, Karan Sahani and Rambalak Sahani assaulted the informant with sharp cutting weapons with intention to kill and caused injuries on his neck and head. Due to the assault, the informant sustained bleeding injuries and he was subsequently referred to PMCH, Patna for treatment.

The learned counsel for the above named accused petitioners submits that the accused petitioners are innocent and have committed no offence. They have been falsely implicated in this case. The prosecution case is false and concocted and the present case has falsely been cooked up in order to lay pressure upon alleged person for part with land for which a Title Suit No. 98/2021 is pending in which Sonelal Sahni, father and accused of Upendra Sahani is plaintiff and Asarfee Sahani grand father of informant Deepak Sahani is informant. No case u/s 109 B.N.S. is made out against the petitioners. Hence, petitioners may be enlarged on anticipatory bail.

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Learned Public prosecutor opposed the prayer for anticipatory bail.

Heard both the parties and also perused the case record and case diary. From perusal of the F.I.R. it appears that with respect to the petitioners namely Alok Sahani, Upendra Sahni, Faret Kumar, Rajesh Kumar, Mukesh Kumar, Kundan Kumar, Lalita Devi, Mahasundar Devi and Lalpari Devi, the allegation against them appears to be general and omnibus in nature, and there is no specific overt act of causing grievous injury attributed to the informant/injured.

Therefore, considering the aforesaid facts and circumstances of the case as well as nature of the allegations, the prayer for anticipatory bail of the petitioners namely Alok Sahani, Upendra Sahni, Foret Kumar, Rajesh Kumar, Mukesh Kumar, Kundan Kumar, Lalita Devi, Mahasundar Devi and Lalpari Devi is hereby allowed and it is ordered that in the event of arrest or surrender, they will be enlarged on anticipatory bail, on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned court below within four weeks of this order, subject to the conditions as laid down under section 482(2) of the B.N.S. 2023.

So far, petitioner nos. 1 to 3 namely **1. Rohit Kumar, 2. Karan Sahani, 3. Rambalak Sahani** are concerned, as per F.I.R. specific and direct allegation of assault with sharp cutting weapon causing injury on vital part of the body has been made against petitioners Rohit Kumar, Karan Sahni and Rambalak Sahni. The injury is stated to have been caused on the neck and head, which are vital parts of the body, and the allegation shows clear intention to cause serious injury. The injury report of injured Deepak Kumar shows that the injured Deepak Kumar has **sustained :**

1. Deep Cut Injury on the back of neck about 5 c.m., in length, 3 c.m., in depth.

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2. Deep cut injury on right side of shoulder about 3 c.m., in length, 2 c.m., in depth.

Nature of injuries - Simple caused by Sharp Cutting Object.

The informant/injured in his re-statement in Para 02 and independent witnesses namely Anil Kumar and Mahiya Devi in their statements in Para 05 and 06 of the case diary have supported the prosecution case.

Therefore, considering the aforesaid facts, circumstances of the case as well as nature of the allegations, I am not inclined to grant anticipatory bail to the petitioner nos. 1 to 3 namely **1. Rohit Kumar, 2. Karan Sahani, 3. Rambalak Sahani.** Accordingly, their prayer for anticipatory bail is hereby rejected.

(Dictated)

(Harshit Singh)
Sessions Judge, Vaishali