

In the Court of Sri Satyanarayan Lal Sahanjee

Additional Sessions Judge - XII

Vaishali at Hajipur

A.B.P. No. – 1158/2026

In the matter of

1. Mosafir Sahni, s/o – Bhikhu Sahni, aged about 68 yrs
2. Manoj Sahani, s/o – Musafir Sahani, aged about 40 yrs

Both R/o – Gorigama (ward no. 8), P.S. - Mahnar, Dist – Vaishali.....Petitioners

Versus

State of Bihar.....Opposite party

Arising out of Mahnar P.S. Case No - 53/2026, U/s – 126(2), 115(2), 352, 351(2), 326(1), 326(g), 324(4), 3(5) of B.N.S.

Date of hearing/Disposal – 26.05.2025

Order

1. Present anticipatory bail petition filed by the petitioner named above apprehending his arrest in connection with Mahnar P.S. Case No - 53/2026, U/s – 126(2), 115(2), 352, 351(2), 326(1), 326(g), 324(4), 3(5) of B.N.S.
2. As per prosecution case, on 30.01.2026 at about 06:00 PM accused persons came at the shop of the petitioner and abused his wife. On 31.01.2026 at about 07:00 AM accused persons came and started assaulting him and his wife with lathi-danda and threatened them. On same date at about 09:00 AM accused persons put his hut on fire. In the fire two motor pumps, 200 kg pipe, four fish net, Chauki and Khatiya were burnt.
3. Heard Sri Pramod Kumar learned advocate for the petitioners and Sri Bal Lakhendra Rai learned A.P.P. for the State.
4. As per para – 2 of the A.B.P. petition, the petitioners have not moved for bail either anticipatory or regular before this Court or before the Hon'ble High Court, Patna earlier in this case. According to para – 3 of the petition, the petitioners have no bad antecedent. It was also submitted that the case was false and petitioners had been falsely implicated in this case. The informant lodged this case with palpably false and concocted story. The learned counsel prayed to allow the anticipatory bail petition.
5. Opposing the petition learned A.P.P. Sri Bal Lakhendra Rai submitted that there is direct allegation against the petitioners. It was further submitted that the witnesses in the case diary supported the prosecution case. The learned counsel prayed to reject the petition.
6. Perused the record as well as case diary. There is no specific but general allegation against the petitioners is to assault the informant and his wife and put his hut on fire. There is no any injury. There is no any eye witness. Case-diary witness namely, Santosh Sahni stated that he didn't see but heard that petitioners had put informant's hut on fire. The petitioners have no any criminal antecedent.
7. In view of the above facts & circumstances of the case as well as nature of allegation against the petitioners, this Court is thus inclined to enlarge the above-named accused-petitioners on anticipatory bail. **Hence, the anticipatory bail petition filed on behalf of above-named petitioners namely, Mosafir Sahni and Manoj Sahani is hereby allowed.** In the event of arrest/surrender the above-named petitioners is directed to be released on furnishing bail bond

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of Rs 10,000/- with two sureties of like amount within 15 days of receipt/production of this order, subject to the conditions as laid down u/s- 482(2) BNSS to the satisfaction of learned C.J.M. or successor.

Dictated and Corrected by

Additional Sessions Judge -XII

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