

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29980 of 2016

Arising Out of PS.Case No. -19 Year- 2016 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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1. Rakesh Sahni Son of Ramdhar Sahni
2. Santosh Kumar Son of Kamal Sahni resident of Village Bilanpur P.S.
Lalganj District Vaishali

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Arvind Kumar Singh, Advocate.

For the Opposite Party : Mr. Dr.Mrityunjaya Kr.Gautam, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 21-10-2016 Heard both sides.

The petitioners apprehend their arrest in Lalganj P.S.
Case No. 19 of 2016 registered for the offences punishable under
Sections 323, 324, 307, 379, 504 and 34 of the Indian Penal Code.

The informant alleged that while he was returning to his
house in the evening after closing his shop the petitioners Rakesh
Sahni and Santosh Kumar along with other accused persons
stopped his motorcycle. Santosh Kumar assaulted him with sword
on his head and Rakesh Kumar assaulted him with iron rod. Other
accused persons snatched laptop and other articles from
possession of the informant.

Learned counsel for the petitioners submits that the
petitioners had got land dispute and that is why they have falsely

been implicated in the case. Both the injuries found on the person of the informant is opined to be simple in nature, but on perusal of the injury report as well as the case diary it appears that almost all the witnesses have stated that the petitioner no. 2 Santosh Kumar @ Santosh Sahni assaulted the informant with sword on his head. Rakesh Kumar petitioner no. 1 assaulted the informant with iron rod. One sharp cut muscle deep injury was found on the forehead of the informant and the informant was advised for CT scan but due to non-availability of CT scan, the doctor opined that the injury is simple in nature. On account of some petty dispute, the petitioners waylaid the informant and assaulted him.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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