

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32748 of 2019

Arising Out of PS. Case No.-144 Year-2018 Thana- BARGAINIA District- Sitamarhi

1. Ram Ekbal Sahni, Son of Faturi Sahni, Resident of Village - Madhu Chapra, P.S.- Bairgania, District- Sitamarhi
2. Ram Prit Sahni, Son of Late Bipat Sahni, Resident of Village - Madhu Chapra, P.S.- Bairgania, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-08-2019 This is an application for grant of anticipatory bail in connection with Bairgania P.S. Case No. 144 of 2018, disclosing offences under Sections 341, 323, 324, 307, 354, 325, 504, 506, 34 of IPC.

Allegation as per F.I.R. is that several accused persons surrounded the informant and assaulted him by *Farsa, Lathi and Danda*, causing injury on his head, when the daughter and granddaughter came to save him, they tried to disrobe her and other accused persons assaulted her also.

Submission of the learned counsel for the petitioners is that though the case is under Section 307 of IPC, but later on informant died and as such, Section 302 of IPC was also inserted but there is no allegation of assault to the deceased,



daughter or granddaughter against these petitioners and only the allegation is of disrobing her and the same is ornamental in nature and petitioners having no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate, Sitamarhi, in connection with Bairgania P.S. Case No. 144 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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