

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40742 of 2019

Arising Out of PS. Case No.-336 Year-2018 Thana- BAJPATTI District- Sitamarhi

1. Triveni Sahni, s/o Late Yogendra Sahni, Resident of Village- Chingi Takiya, P.S.- Bajpatti, District- Sitamarhi.
2. Indrajit Sahni, s/o Late Yogendra Sahni, Resident of Village- Chingi Takiya, P.S.- Bajpatti, District- Sitamarhi.
3. Ranjit Sahni, s/o Late Yogendra Sahni, Resident of Village- Chingi Takiya, P.S.- Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-07-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Bajpatti P.S. Case No.336 of 2018 for the offence punishable under Sections 341, 323, 307, 379, 34 of the Indian Penal Code.

The allegation against these petitioners is that on the date of occurrence, petitioners along with co-accused assaulted sister-in-law of the informant with iron rod on her head. Petitioner No.1, Triveni Sahni pulled the sari of the wife of the informant.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case inasmuch as



there is land dispute between the parties and on the date of occurrence, a case as well as counter case was filed and from the side of the petitioners Bajpatti P.S. Case No.337 of 2018 has been lodged. He further submits that from the side of the petitioners, two persons have received injuries.

Learned counsel for the petitioners after referring Annexure-2, which is an injury report has submitted that the allegation against Triveni Sahni is of assaulting the sister-in-law of the informant on head however, there is no serious injury on the head of Banarsi Devi, i.e., sister-in-law of the informant and grievous injury which has been found near the index finger of Banarsi Devi has been caused due to sharp cutting substances whereas allegation of assaulting of Banarsi Devi is by means of iron rod on her head. Accordingly, submission is that the injuries are not corroborating with the allegation, as leveled against the petitioners in the First Information Report.

After having heard learned counsel for the petitioners and learned counsel appearing for the State as well as taking into consideration the fact and injury report, it transpires that the injury near the left skull is minor in nature and the injury report does not corroborate the statement of the informant made in the



First Information Report. As such, I am inclined to grant anticipatory bail to all these petitioners.

Accordingly, the petitioners are directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Pupri, District-Sitamarhi, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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