

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13360 of 2020

Arising Out of PS. Case No.-611 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. DILIP SAHNI S/o Late Gango Sahni R/o village- Lodidih, P.S.- Muffasil, Distt.- Begusarai
 2. Pinkesh Sahni @ Pinkesh Kumar S/o Ganesh Sahni R/o village- Lodidih, P.S.- Muffasil, Distt.- Begusarai
 3. Ganesh Sahni S/o Late Sahdev Sahni @ Late Sadev Sahni R/o village- Lodidih, P.S.- Muffasil, Distt.- Begusarai
 4. Anil Sahni S/o Late Gango Sahni R/o village- Lodidih, P.S.- Muffasil, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered under Sections 341, 323, 324, 307, 504 and 506/34 of
the Indian Penal Code.

Allegedly, due to the property dispute the occurrence took



place. The father of the informant transferred the land, in question to the informant. It is alleged that when the informant's son went to sow the wheat on the land in question, the accused persons including the petitioners in furtherance of common intention lashed with lathi, Rod and country made pistol rushed on the spot and forbade the informant's son in sowing the wheat and in consequence thereof, there was a hot exchange of word and as such the accused persons allegedly assaulted the informant's son, as a result of which, he sustained injury.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. The occurrence is said to have taken place on 18-11-2019 and the FIR has been instituted on 22-11-2019. The delay in instituting the FIR has not been explained by the prosecution. The nature of injury caused to one Vijay Kumar is said to be grievous but the said injury has not been caused by the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the



case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Muffasil P.S. Case No. 611 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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