

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21227 of 2020**

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Raju Sahni @ Raja Sahni, son of Jainarayan Sahni, resident of village-Ilmas
Nagar (Inmoit), P.S.-Hayaghat, District-Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 24-07-2020 Learned counsel for the petitioner undertakes to

remove all the defects within three weeks after start of normal

functioning of the Court.

Heard learned counsel for the petitioner and Md. Syed
Ehteshamuddin, learned A.P.P. for the State.

Petitioner in the present case is seeking pre-arrest bail

in connection with Hayaghat P.S. Case No.86 of 2019 registered

for the offences under Sections 341, 323, 324, 354, 506 and

385/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that in the

first information report altogether five persons have been made

accused. So far as this petitioner is concerned, there is an

allegation that he had assaulted by iron rod on the head of the

husband of the informant and had also assaulted the son of the



informant causing injury to both of them, however the nature of injury has not been disclosed.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner. It is submitted that there is specific allegation of assault against the petitioner and from the observation made in the impugned order by the learned sessions judge, Darbhanga it would appear that the injury report of the husband of the informant shows one head injury and her son has sustained two head injuries and all these have been attributed to this petitioner. Therefore, petitioner having participated in the commission of crime does not deserve privilege of anticipatory bail.

Having regard to the facts and circumstances of the case and on finding that there are specific allegation against the petitioner which finds support from the injury report as indicated above by learned A.P.P. for the State, this court is not inclined to enlarge the petitioner on anticipatory bail.

Prayer for anticipatory bail of the petitioner is, thus, refused.

In case petitioner surrenders and prays for regular bail within a period of six weeks from today before the learned court below his prayer for regular bail shall be considered by the court



below on it’s own merit without being prejudiced by the orders
of this court.

(Rajeev Ranjan Prasad, J)

rajeev/arvind-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading ‘Judicial Orders Passed During The Pandemic Period’.

