

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25322 of 2020**

Arising Out of PS. Case No.-46 Year-2020 Thana- TISIAUTA District-
Vaishali

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1. Shivchandra Sahni Son of Ramvaran Sahni Resident of Village- Pranpur, P.S.- Tisiauta, District- Vaishali.
 2. Suresh Sahni Son of Ramvaran Sahni Resident of Village- Pranpur, P.S.- Tisiauta, District- Vaishali.
 3. Naresh Sahni Son of Ramvaran Sahni Resident of Village- Pranpur, P.S.- Tisiauta, District- Vaishali.
 4. Nanhe Sahni Son of Ramvaran Sahni Resident of Village- Pranpur, P.S.- Tisiauta, District- Vaishali.
 5. Bhunesh Sahni @ Bhanesh Sahni @ Munesh Sahni @ Bhuneshwar Sahni Son of Ramvaran Sahni Resident of Village- Pranpur, P.S.- Tisiauta, District- Vaishali.
 6. Ajab Sahni @ Ajab Lal Sahni Son of Jamun Sahni Resident of Village- Pranpur, P.S.- Tisiauta, District- Vaishali.
 7. Vijay Sahni Son of Ramesh Sahni Resident of Village- Pranpur, P.S.- Tisiauta, District- Vaishali.
 8. Subodh Sahni Son of Ramesh Sahni Resident of Village- Pranpur, P.S.- Tisiauta, District- Vaishali.
 9. Mithlesh Sahni Son of Ramesh Sahni Resident of Village- Pranpur, P.S.- Tisiauta, District- Vaishali.
 10. Anil Sahni @ Anil Kr. Sahni Son of Vishawanath Sahni Resident of Village- Pranpur, P.S.- Tisiauta, District- Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Ms. Bela Singh, Advocate
For the State : Mr. Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 10-11-2020 Heard learned counsel for the petitioners and learned
APP for the State through video conference. Learned counsel for
the petitioners undertakes that all defects pointed out by the



stamp reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately upon resumption of normal physical functioning of the Court, and in any event within one month thereof. Learned counsel for the State states that he has no objection in this regard and the matter be taken up on merits in view of the stated urgency.

2. At the outset, learned counsel for the petitioners submits that petitioner nos. 1, 4, 7, 8, 9 and 10 have either surrendered or been arrested during pendency of the present petition. Learned counsel for the petitioners accordingly seeks permission to withdraw the petition as against petitioner nos. 1, 4, 7, 8, 9 and 10 having become infructuous.

3. Permission is accorded. The anticipatory bail petition of petitioner nos. 1, 4, 7, 8, 9 and 10 is permitted to be withdrawn and dismissed accordingly.

4. The petitioners nos. 2, 3, 5 and 6 apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 332, 333, 353, 307, 427 of the Indian Penal Code registered in connection with Tisiauta P.S. Case No. 46 of 2020.

5. It is submitted that the petitioners nos. 2, 3, 5 and 6 have been falsely implicated on the accusation of obstructing police personnel and causing injury to them. It is submitted that these petitioners are migrant labourers and owing to certain



petty dispute the present F.I.R. has been filed. In any event, there is no injury report to support the accusation of assault. The said petitioners claim clean antecedents.

6. Learned APP appears and has been heard.

7. Be that as it may, in the event of arrest or surrender before the court below of the petitioners nos. 2, 3, 5 and 6 within six weeks from the date of communication of this order, let them be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Vaishali, in connection with Tisiauta P.S. Case No. 46 of 2020, subject to the conditions as laid down under Section 438(2) Cr. P.C., if they are not otherwise required in any other case.

8. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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