

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17246 of 2021

Arising Out of PS. Case No.-316 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

1. Sanjay Sahni, aged about 32 years (Male), Son of Late Paichan Sahni @ Pancham Sahni @ Late Kanchan Sahni, Resident of village-Bishunpur Patti, Police Station-Sahebganj, District- Muzaffarpur.
2. Ram Sewak Sahni, aged about 44 years (Male), Son of Late Kanchan Sahni, Resident of village-Bishunpur Patti, Police Station-Sahebganj, District- Muzaffarpur.
3. Munna Lal Sahni @ Munna Sahni, aged about 43 years (Male), Son of Late Kanchan Sahni, Resident of village-Bishunpur Patti, Police Station-Sahebganj, District- Muzaffarpur.
4. Ranjit Sahni, aged about 31 years (Male), Son of Late Kanchan Sahni, Resident of village-Bishunpur Patti, Police Station-Sahebganj, District- Muzaffarpur.
5. Sakli Devi, aged about 52 years (Female), Wife of Sita Ram Sahni, Resident of village-Bishunpur Patti, Police Station-Sahebganj, District -Muzaffarpur.
6. Achhe Lal Sahni, aged about 31 years (Male), Son of Late Kanchan Sahni, Resident of village-Bishunpur Patti, Police Station-Sahebganj, District- Muzaffarpur.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Sunil Kumar
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 13-04-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioners and learned A.P.P. for the State through Virtual mode.

Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application filed on behalf of the petitioner no. 6, namely, Achhe Lal Sahni, as he has been taken into judicial custody in connection with



Sahebganj P.S. Case No. 316/2020, pending in the court of learned Sub-Judge-Ist-cum-A.C.J.M. Ist, Muzaffarpur.

Permission is accorded.

Accordingly, the present anticipatory bail application filed on behalf of petitioner no. 6, namely, Achhe Lal Sahni, is dismissed as withdrawn.

Now, the petitioner nos. 1 to 5 are apprehending their arrest in a case for the offence registered under Sections 341, 342, 447, 323, 324, 325, 504, 379, 506/34 of the I.P.C. Later on, Section 307 of the I.P.C., was also added.

The prosecution story, in brief, is that the petitioners alongwith others having armed with entered into the house of the informant on 16.08.2020 and looted away cash Rs. 90,000/- besides gold ornaments and assaulted the informant and his other family members with weapons and made them grievously injured. The treatment of injured persons were conducted at P.H.C., Sahebganj.

It has been submitted by learned counsel for the petitioner nos. 1 to 5 that they have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against them. They have falsely been implicated in the present case. There is case and counter case between the parties. Free



fight is alleged to have taken place between the parties. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the learned counsel for the State, it has been submitted that the petitioner nos. 1 to 5 are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner nos. 1 to 5 above named (except petitioner no. 6, namely, Achhe Lal Sahni), in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) only each with two sureties of the like amount each to the satisfaction of the learned Sub-Judge Ist-cum-A.C.J.M. Ist, Muzaffarpur, in connection with Sahebganj P.S. Case No. 316 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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