

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24657 of 2020

Arising Out of PS. Case No.-92 Year-2020 Thana- SHEOHAR District- Sheohar

1. PREM SAHNI @ SURAJ SAHNI @ SURAJ KUMAR Son of Ram Nihora Sahni @ Ram Nihora Brahmachari Resident of Village-Fatmachak, P.S.-Sheohar, District-Sheohar.
2. Pankaj Sahni @ Krishan Kumar Son of Ram Nihora Sahni @ Ram Nihora Brahmachari Resident of Village-Fatmachak, P.S.-Sheohar, District-Sheohar.
3. Ram Govind Mahto @ Ramgobin @ Jaigovind Mahto Son of Yogi Mahto Resident of Village-Fatmachak, P.S.-Sheohar, District-Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Adv.

For the Opposite Party/s : Dr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 13-01-2021 At the outset, it is submitted by learned counsel for the petitioners that pursuant to the arrest of petitioner no. 1 Prem Sahni, his application for anticipatory bail was withdrawn by order dated 13.10.2020.

Heard learned counsel for the petitioner nos. 2 and 3 and learned APP for the State, through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner nos. 2 and 3 apprehending their arrest in connection with Sheohar P.S. Case No. 92 of 2020, registered under sections 307, 323, 324, 341, 326, 379 and 34 of the Indian Penal Code.

As per allegation in the FIR, the five named accused



persons including the three petitioners herein are stated to have assaulted the informant and his son as described in the FIR.

With respect to petitioner nos. 2 and 3, it is submitted that so far as petitioner no. 3 is concerned, no overt act has been alleged against him and so far as petitioner no. 2 is concerned, it is submitted that he is alleged to have assaulted the son of the informant, however, the same is false allegation and for this reason, no injury report of the son of the informant is available in the case diary. The petitioner nos. 2 and 3 have no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioners, the Court is inclined to enlarge the petitioner no. 2 and 3 on bail. The petitioner nos. 2 and 3 are directed to surrender in the Court below within a period of six weeks from today and in the event of their arrest or surrender in connection with Sheohar P.S. Case no. 92 of 2020, they will be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheohar



subject to the conditions as laid down under section 438(2) of
the Cr.P.C.

(Partha Sarthy, J)

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