

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35697 of 2020

Arising Out of PS. Case No.-481 Year-2020 Thana- SONEPUR District- Saran

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1. LAL PARI DEVI @ LAL MUNI DEVI WIFE OF PANCHU SAHNI
RESIDENT OF VILLAGE - BHARPURA, POLICE STATION - SONPUR
IN THE DISTRICT OF SARAN.
 2. PANCHU SAHNI SON OF RAGHUBANSH SAHNI RESIDENT OF
VILLAGE - BHARPURA, POLICE STATION - SONPUR IN THE
DISTRICT OF SARAN.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Braj Nandan Kumar Tiwary, Advocate.
For the State	:	Mr. Surendra Prasad Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 30-04-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 16.12.2020, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State, through Video Conferencing.

The petitioners apprehend their arrest in connection with Sonpur P.S. Case No.481 of 2020 registered under Sections 341, 323, 324, 307 and 379/34 of the Indian Penal Code.

The accusation is that on 20.06.2020 at about 10.00



A.M., from the mango orchard of the informant Jitendra Kumar, Kanhaiya Sahni alias Patel, son of Panchu Sahni (petitioner no.2), was plucking the mango, then Monu Kumar, the cousin of the informant, made protest on which Kanhaiya Sahni alias Patel Sahni started to abuse and rush to cause assault him, then Monu Kumar, the cousin of the informant, returned to his house and informed about the incident. Thereafter, the informant, his father, namely, Rambachan Prasad, Dharmendra Kumar and Sonu Kumar rushed at the mango orchard and forbade Kanhaiya Sahni to pluck the mango, then he gave sword blow twice at the head of Rambachan Prasad, the father of the informant, due to which he fell down and Krishna Sahni caused injury through Farsa at the head of the informant, due to which, he also fell down. Jitan Sahni caused injury through iron rod at the hand of Sonu Kumar. The petitioners along with 6-7 unknown started to cause assault them through lathi and danda and injured them.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that no specific overt act is attributed to the petitioners. There is general allegation against the petitioners and others to cause injury to the informant, his father and others through Lathi and danda. Only two injuries were found on the person of the father of the informant, which



are said to be simple in nature, whereas two injuries, i.e., lacerated wound on frontal region of scalp 2" x 1/2" x 1/4" and pain and swelling at (Rt) shoulder were found on the person of the informant. The petitioners have falsely been implicated in this case and they have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra, in connection with Sonpur P.S. Case No.481 of 2020, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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