

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3009 of 2021

Arising Out of PS. Case No.-107 Year-2020 Thana- MINAPUR District- Muzaffarpur

1. SANJAY SAHNI S/O RAM BAHADUR SAHNI RESIDENT OF VILLAGE-GOSHAEEPUR, MALAH TOLI, PS-MINAPUR, DISTRICT-MUZAFFARPUR.
2. UMESH SAHNI S/O SHRAVAN SAHNI RESIDENT OF VILLAGE-GOSHAEEPUR, MALAH TOLI, PS-MINAPUR, DISTRICT-MUZAFFARPUR.
3. RAMBALAK SAHNI S/O LATE SUKHARI SAHNI RESIDENT OF VILLAGE-GOSHAEEPUR, MALAH TOLI, PS-MINAPUR, DISTRICT-MUZAFFARPUR.
4. RANJIT KUMAR S/O UMESH SAHNI RESIDENT OF VILLAGE-GOSHAEEPUR, MALAH TOLI, PS-MINAPUR, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-09-2021 Heard learned counsel for the petitioners and the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

A supplementary affidavit has been filed on behalf of the petitioners. It has been submitted that in the prayer portion of the main application, “*Hathauri P.S. Case No. 94 of 2019*” has wrongly been typed in place of “*Minapur P.S. Case No. 107 of 2020*”. So, a



prayer has been made to correct the prayer portion of the main application.

Accordingly, in the prayer portion of the application, let ***“Hathauri P.S. Case No. 94 of 2019”*** be read as ***“Minapur P.S. Case No. 107 of 2020”***.

The petitioners are apprehending their arrest in connection with Minapur P.S. Case No. 107 of 2020 registered for the offence under Sections 147, 148, 149, 341, 342, 323, 324, 307, 302, 504 of the Indian Penal Code.

Prosecution case in short is that the husband of the informant was brutally assaulted by the accused persons, as a result of which, he sustained grievous injuries. He was taken to hospital for treatment but the informant's husband succumbed to the injuries. It is further alleged that the informant's son and his wife were also assaulted.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. Petitioners are alleged to have assaulted the deceased. But from perusal of the postmortem report, it appears that no external injury was found on the body of the deceased and cause of death could not be ascertained. Altogether 17 persons have been made accused in the present case. It has further been submitted that the postmortem report does not corroborate the allegation made in the FIR.



On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of Sri Deepak Kumar, learned Judicial Magistrate-Ist Class, Muzaffarpur in connection with “ Minapur P.S. Case No. 107 of 2020” subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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