

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7937 of 2022

Arising Out of PS. Case No.-448 Year-2021 Thana- SUGAULI District- East Champaran

1. BUDHIYA DEVI @ BUDHI DEVI WIFE OF GULLI SAHANI R/O VILLAGE- MALI TOLA, P.S.- SUGAULI, DISTRICT- EAST CHAMPARAN
2. GULLI SAHANI SON OF SUGRIV SAHANI R/O VILLAGE- MALI TOLA, P.S.- SUGAULI, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Adv.
For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-08-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in connection with Sugauli P.S. Case No.448 of 2021, G.R. Case No.5960 of 2021, registered for the offence punishable under Sections 149, 341, 342, 323, 307, 379, 504 and 506 of the Indian Penal Code.

Allegedly, the FIR named accused persons including the petitioners have indiscriminately assaulted the informant and his



brother. The petitioners have also set fire on the body of the informant, due to which he sustained burn injury from waist to right flank.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is a delay of six days in lodging the FIR and no plausible explanation has been given regarding such delay. It is submitted that the injuries are simple in nature. It is further submitted that for the alleged occurrence, there is a case and counter-case between the parties. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that there is specific overt act against the petitioners to set fire on the informant.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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