

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8422 of 2022

Arising Out of PS. Case No.-185 Year-2021 Thana- CHIRAIYA District- East Champaran

1. SUNIL SAHANI Son of Ramakant Sahani Resident of Village- Godhiya, P.S.- Shikarganj, District- East Champaran, Motihari.
2. Kameshwar Sahani Son of Ramakant Sahani Resident of Village- Godhiya, P.S.- Shikarganj, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-09-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Chiraiya P.S. Case no. 185 of 2021 instituted for the offence under Sections 147, 148, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

As per allegation in the FIR, while the brother of the informant was returning from SBI bank withdrawing Rs 87,000, near Kachahari, 18 accused persons including the petitioners surrounded him and hurled abuses. Petitioner no.2 inflicted knife blow in his stomach while petitioner no.1 inflicted knife



blow in his chest. It is further alleged that accused persons have also snatched all of his cash amount and his golden chain.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. There is no repetition of assault against the petition. They have been falsely implicated in the present case between the parties. Other co-accused persons granted bail by the learned lower court.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that brother of the informant has received one stabbed deep wound in stomach of 1" X ½" which is grievous in nature caused by sharp cutting weapon, attributed to petitioner no.2.

Having heard learned counsel for the parties and taking into consideration that there is specific allegation of giving knife blow to the informant against petition no.2, namely, Kameshwar Sahani, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

So far as petition no.1, namely, Sunil Sahani is concerned, there is general and omnibus allegation against him, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a



period of four weeks from today and in the event of his arrest or surrender in connection with Chiraiya P.S. Case no. 185 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Sikrahana at Dhaka, Dist-East Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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