

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11110 of 2022

Arising Out of PS. Case No.-194 Year-2021 Thana- CHERIYA BARIYARPUR District-
Begusarai

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1. Ram Shankar Sahni Son Of Late Ramdeo Sahni @ Late Ramdev Sahni R/O Village- Manjhaul, Sangat Tola, P.S.- Cheriya Bariarpur, (MANJHAUL O.P.), District- Begusarai
 2. Birju Sahni @ Birju Kumar Son Of Ram Shankar Sahni R/O Village- Manjhaul, Sangat Tola, P.S.- Cheriya Bariarpur, (MANJHAUL O.P.), District- Begusarai
 3. Amarjeet Sahni @ Bullet Son Of Ram Shankar Sahni R/O Village- Manjhaul, Sangat Tola, P.S.- Cheriya Bariarpur, (MANJHAUL O.P.), District- Begusarai
 4. Rishimuni Sahni @ Rishi Kumar @ Jaduimuni Sahni Son Of Ram Shankar Sahni R/O Village- Manjhaul, Sangat Tola, P.S.- Cheriya Bariarpur, (MANJHAUL O.P.), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam
For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2022 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 three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 354, 504, 506, 34 of the Indian Penal Code.



Petitioners are said to have assaulted the informant by means of iron rod and Khanti as a result of which the informant sustained head injury. It is also alleged that they also assaulted the wife of the informant as a result the finger of hand of the wife of the informant has been broken.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case. He submits that the informant has sustained injuries which is grievous in nature over his vital part and caused by hard and blunt substance. There is no specific allegation against the petitioner nos. 3 and 4. Both parties are close agnates. He submits that no case under Section 307 of IPC is made out against the petitioners. He submits that there is general and omnibus allegation levelled against the petitioners. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that there is specific allegation against the petitioner nos. 1 and 2.

Considering the facts and circumstances of the case and the fact that there is no specific allegation against the petitioner nos. 3 and 4, let the above named petitioner nos. 3



and 4 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bariarpur P.S. Case No. 194 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

So far as petitioner nos.1 and 2 is concerned, there is specific allegation against the petitioner nos. 1 and 2, I am not inclined to enlarge the petitioner nos. 1 and 2 on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with the aforesaid case.

(Anjani Kumar Sharan, J)

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