

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15705 of 2022

Arising Out of PS. Case No.-230 Year-2020 Thana- MAHESI District- East Champaran

1. Niraj Kumar, Son Of Hardeo Sahni Resident Of Vill- Bakhari Nazir, P.S- Mehsi, Dist- East Champaran.
2. Bipin Kumar, Son Of Hardeo Sahni Resident Of Vill- Bakhari Nazir, P.S- Mehsi, Dist- East Champaran.
3. Rahul Kumar, Son Of Ram Bharosh Sahni Resident Of Vill- Bakhari Nazir, P.S- Mehsi, Dist- East Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-09-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 307, 504, 506 and 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 28.07.2020, co-accused Ram Babu Sahni came at his shop to purchase some article on which, the informant denied, his shop had closed by then, on which Ram Babu Sahni started abusing, but the matter was settled with the



help of villagers. It is next alleged that thereafter, five named accused persons including the petitioners came variously armed at his shop and started abusing him on which the informant protested. It is next alleged that accused persons assaulted him with sharp edged weapon and farsa causing injury on head and Ram Babu Sahni took out Rs.10,000/- from his shop.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is next submitted that the date of occurrence is 28.07.2020 and the F.I.R. came to be instituted on 30.07.2020. It is also submitted that even presuming what has been alleged is true without admitting for the purposes of anticipatory bail, then the allegation of assault is also general and omnibus and the injuries suffered by the informant is simple in nature as would be evident from Annexure-2 to the anticipatory bail application.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.



10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Mehshi P. S. Case No.230 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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