

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21982 of 2022

Arising Out of PS. Case No.-125 Year-2021 Thana- BIRAUL District- Darbhanga

1. BIMLESH SAHNI Son of Siyasharan Sahni R/V- Usarar, P.S.- Biraul, District - Darbhanga
2. Heera Sahni @ Hiro Sahni Son of Siyasharan Sahni R/V- Usarar, P.S.- Biraul, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 29-09-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 324, 354(A), 307, 379, 148, 149 and 504 of the Indian Penal Code, registered in connection with Biraul P.S.Case No. 125 of 2021.

As per allegation, 12 named accused persons including 32-35 unknown persons came and started dismantling solar light which was fixed on plot no. 5131. When the members



of the informant's side protested, they badly assaulted them. The specific allegation against the petitioner no.1 is that he assaulted Umesh Pandit with axe on his head and petitioner no.2 assaulted Ganesh Pandit with *farsa*.

The learned counsel for the petitioners has submitted that there is case and counter case and both the parties have sustained injuries. He has submitted further that petitioners are the persons of clean antecedent.

There is specific allegation on petitioner no.1 that he assaulted Umesh Pandit with axe on his head and he sustained grievous injury, as such, **petitioner no.1 does not deserve the privilege of anticipatory bail, which is hereby rejected.**

So far as petitioner no.2 is concerned, considering the facts and circumstances, let him in the event of his arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of ACJM-II, Biraul, Darbhanga in connection with Biraul P.S.Case No. 125 of 2021, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time as provided



hereinabove, failing which the matter shall be brought to the
notice of this Court.

(Nawneet Kumar Pandey, J)

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