

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22696 of 2022

Arising Out of PS. Case No.-496 Year-2018 Thana- SUGAULI District- East Champaran

1. KODAI SAHANI Son of Hariyar Sahani Resident of Village - Beltoal, P.s.- Sugauli, Distt.- E. Champaran.
2. Rokharaj Sahani Son of Hariyar Sahani Resident of Village - Beltoal, P.s.- Sugauli, Distt.- E. Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Adv.
For the Opposite Party/s : Mr.Bishweshwar Ram, APP
Mr.Rohit Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-08-2022 Heard the parties.

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.496/2018, registered for the offence punishable under Sections 341, 342, 323, 324, 307, 302/34 IPC.

Allegedly, the FIR named accused persons are said to have assaulted the informant's brother and parents by means of Gupti, bamboo. Thereafter, they were brought to P.H.C., Sugauli where also the accused persons including the petitioners came



and assaulted the informant's side.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Petitioners have been falsely implicated in this case. It is submitted that name of petitioner has come in the last paragraph of the F.I.R. and there is no specific overt act against them. They have been implicated in this case only on suspicion. Petitioners have no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that there is specific allegation in the FIR that the accused persons not only assaulted the informant's side on the first place of occurrence but also in the Hospital, due to which, father of the informant died during treatment.

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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