

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34042 of 2021

Arising Out of PS. Case No.-4 Year-2021 Thana- VAISHALI District- Vaishali

1. RAMBABU SAHNI S/O SRI JAI UMESH SAHNI @ JAY UMESH SAHNI @ JAYMESH SAHNI RESIDENT OF VAISHALI, MACHHHUA TOLI, P.S. AND DISTRICT VAISHALI
2. DHARMENDRA KUMAR S/O SRI JAI UMESH SAHNI @ JAY UMESH SAHNI @ JAYMESH SAHNI RESIDENT OF VAISHALI, MACHHHUA TOLI, P.S. AND DISTRICT VAISHALI
3. RAUSHAN KUMAR @ RAUSHAN KUMAR SAHNI S/O SRI JAI UMESH SAHNI @ JAY UMESH SAHNI @ JAYMESH SAHNI RESIDENT OF VAISHALI, MACCHUA TOLI, P.S. AND DISTRICT VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Choubey
For the Opposite Party/s : Mrs.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-07-2022 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 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.

Vide order dated 09.06.2022, the prayer for anticipatory bail as against the petitioner no.2 was dismissed for infructuous.

Accordingly, this application is now being heard only with regard to petitioner no.1 and 3.



The petitioner nos.1 and 3 apprehend their arrest in a case registered for the offence punishable under Sections 302 & 34 of the IPC.

Allegedly, the F.I.R. named accused persons have assaulted the son of the informant, due to which, he succumbed to the injuries and died in the way to the hospital. It is alleged that the petitioners are also involved in the said occurrence.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case with some ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The specific allegation is against the co-accused Jaymesh Sahni and Ajay Sahni. It is submitted that petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific allegation against the petitioners, let the above named petitioner nos.1 and 3, be released on bail, in the event of their arrest or surrender before the learned Court



below within a period of six weeks from today, 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 Vaishali P.S. Case No.04 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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