

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42116 of 2021

Arising Out of PS. Case No.-321 Year-2020 Thana- DARIYAPUR District- Saran

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1. AMAVASH SAHNI Son of Chintavan Sahni Resident of Village - Sumerpatti, Pokharipar, P.S. - Dariapur, District - Saran.
 2. Faguni Sahni @ Kamlesh Sahni Son of Amavash Sahni Resident of Village - Sumerpatti, Pokharipar, P.S. - Dariapur, District - Saran.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Binod Kumar Sinha
For the State	:	Mr. Kumar Ranjit Ranjan
For the Informant	:	Mr. Ajay Kumar Singh No.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-04-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 324, 325, 307 & 302/34 of the Indian Penal Code.

The petitioners in association of other co-accused are said to have assaulted the husband and son of the informant due to which the husband of the informant died during course of treatment.

It is submitted by learned counsel for the



petitioners that no such occurrence as alleged ever took place. They have been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The deceased and petitioner no.1 are won brother, whereas petitioner no.2 happens to be own nephew of the deceased and informant. The instant complaint petition has been filed with abnormal delay of three months without assigning and plausible reason for the said delay, which creates serious doubt about the prosecution case. They have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his 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) 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 Dariapur P.S. Case No. 321 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J.)

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