

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34147 of 2022

Arising Out of PS. Case No.-17 Year-2022 Thana- GWALPARA District- Madhepura

1. BADIAL SAHNI @ GOPAL SAHNI S/o Late Domi Das R/o village- Tikkar- Shahpur, Ward No. 04, P.S.- Gawalpara, District- Madhepura
2. Sumit Kumar S/o Badial Sahni @ Gopal Sahni R/o village- Tikkar- Shahpur, Ward No. 04, P.S.- Gawalpara, District- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 448, 354B, 308, 379, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that petitioner no. 1 touched his wife inappropriately and pushed her on the ground and petitioner no. 2 by *Dabia* assaulted his son causing injury on chest and Amit and Mira took away cash.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that the date of occurrence is 28.01.2022 and the F.I.R. has been instituted on 30.01.2022 and that too based on written application of



the informant when admittedly police station was only 1 kilometer away from the place of occurrence which creates doubt with regard to the veracity of the allegation as alleged, it is further submitted that even the injury suffered by the injured is simple in nature and the case is not instituted under Section 307 of the I.P.C.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Gwalpara P.S. Case No. 17 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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