

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54820 of 2021

Arising Out of PS. Case No.-51 Year-2021 Thana- MANSURCHAK District- Begusarai

1. JITENDRA SAHNI Son of Chamru Sahni Resident of Village - Dhakjari, Ward No.- 10, P.S.- Mansurchak, District - Begusarai.
2. Shatrughan Sahni Son of Pukar Sahni @ Ram Pukar Sahni Resident of Village - Dhakjari, Ward No.- 10, P.S.- Mansurchak, District - Begusarai.
3. Sunil Kumar Sahni Son of Pukar Sahni @ Ram Pukar Sahni Resident of Village - Dhakjari, Ward No.- 10, P.S.- Mansurchak, District - Begusarai.
4. Dharmveer Sahni Son of Pukar Sahni @ Ram Pukar Sahni Resident of Village - Dhakjari, Ward No.- 10, P.S.- Mansurchak, District - Begusarai.
5. Pukar Sahni @ Ram Pukar Sahni Son of Gango Sahni Resident of Village - Dhakjari, Ward No.- 10, P.S.- Mansurchak, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Jha, Advocate
For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-06-2022 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.

Learned counsel for the petitioners seeks permission to withdraw this application as against the petitioner no.1, as he has already been arrested, during pendency of this application.



Considering the same, this application is dismissed as withdrawn as against the petitioner no.1.

Now, this application is being heard for consideration of bail on behalf of the rest of the petitioners.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 337, 307, 504, 34 of the Indian Penal Code.

The allegation against the petitioners is that they have indiscriminately assaulted the informant's side due to a dispute of road.

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. 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. It is submitted that for the alleged occurrence, there is a case and counter-case between the parties and both sides have sustained injuries. It is further submitted that from perusal of the impugned order, it is clear that the injuries are simple in nature. 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 the injuries are simple in nature, let the above named petitioner nos.2 to 5, 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 Mansurchak P.S. Case No.51/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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