

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35418 of 2023

Arising Out of PS. Case No.-373 Year-2022 Thana- LALGANJ District- Vaishali

1. Rajendra Sahni, Son of Late Nanhaki Sahni, Resident of Village- Sirsadhmi, P.S- Lalganj, District- Vaishali
2. Daulatia Devi @ Daulat Devi, Wife of Shri. Rajendra Sahni, Resident of Village- Sirsadhmi, P.S- Lalganj, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Namrata Mishra, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-07-2023 Heard learned counsel for the petitioners and the learned APP for the State.

2. Petitioners seek regular bail in connection with Lalganj P.S. Case No. 373 of 2022 dated 11.10.2022 registered for the offences punishable under Sections 341, 323 and 302/34 of the Indian Penal Code.

3. The main submissions advanced by learned counsel for the petitioners are that in connection with the alleged occurrence firstly, U.D. Case No. 02/2022 dated 16.03.2022 was registered in which statements of several persons were recorded and in that course, it came into light that both the petitioners and co-accused Ramjee Kumar came at the



door of the victim's house and firstly, abused her and thereafter the co-accused Ramjee Kumar inflicted *hammer* blow at the head of the victim, owing to which the victim died during course of her medical treatment and the said facts find place in the FIR itself. It is further submitted that in the FIR, there is no serious and specific allegation against both the petitioners and the main allegation of causing head injury to the victim by means of *hammer* is against co-accused Ramjee Kumar and moreover, as per the *post-mortem* report the victim died due to *cardiopulsenonary* arrest due to head injury which is specifically attributed against co-accused Ramjee Kumar and both the petitioners have fair and clean antecedent and have been languishing in jail since 17.11.2022 and 04.12.2022 respectively.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the facts that as per the FIR, the main allegation of causing head injury to the victim is against Ramjee Kumar and both the petitioners have fair and clean antecedent and the FIR does not show that the alleged occurrence was committed in a planned manner, in my opinion it is a fit case for bail to the petitioners.



Accordingly, let the petitioners named-above be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Lalganj P.S. Case No. 373 of 2022.

(Shailendra Singh, J)

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