

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44696 of 2023

Arising Out of PS. Case No.-224 Year-2020 Thana- LAURIA District- West Champaran

1. Ramayan Sahani Son of Bannu Sahani, Resident of Village- Gavnaha Baswariya, Devraj, P.S.- Lauriya, District -West Champaran.
2. Sikandar Sahani Son of Lakshman Sahani, Resident of Village- Gavnaha Baswariya, Devraj, P.S.- Lauriya, District -West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 325, 307, 379, 504, 506 of the Indian Penal Code.

3. As per prosecution, the F.I.R. has been lodged against ten named accused persons including the present petitioners. As per the F.I.R. the dispute has arisen due to altercation took place between the children of both the families. The allegation against all the ten accused persons are that they have entered in the house of informant and assaulted series of



persons. The allegation against the petitioner no.1 is that he has assaulted by iron rod to the informant and allegation against the petitioner no.2 is that that he has assaulted by *lathi* on the shoulder of the informant.

4. Learned counsel for the petitioners submits that antecedent of petitioners are clean as they are not criminal. He further submits that both petitioners' side and informant's side are the resident of same village. He also submits that the dispute took place between the children of both the families. Learned counsel submits that the date of occurrence is 02.12.2020, fardbeyan has been prepared on 04.12.2020 but in the Police Station the said fardbeyan was registered on 17.12.2020 and it was forwarded to the Court on 19.12.2020. He further submits that the injury report of the informant indicates that the injuries are simple in nature. He also submits that the sections under which F.I.R. has been lodged are allailable except Section 307 & 379 of the I.P.C. He further submits that no offence under Section 307 & 379 of the I.P.C. is made out against the petitioners. Learned counsel further submits that the other co-accused of this case have been granted anticipatory bail by the Co-ordinate Bench of this Court vide orders dated 07.04.2023 & 18.05.2023 passed in Cr. Misc. Nos. 5254 of 2023 & 8539 of



2023 respectively. He also submits that petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., 1st, Bettiah, West Champaran, in connection with Lauriya P. S. Case No.224 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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