

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46700 of 2023

Arising Out of PS. Case No.-182 Year-2022 Thana- BASOPATTI District- Madhubani

1. Chhotu Sahni S/O Shree Sahni
2. Shree Sahni S/O Late Rameshwar Sahni
Both are R/O Village- Khauna, P.S- Basopatti, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-08-2023 Heard Mr. Ravi Prakash, leaned counsel appearing on behalf of the petitioners and Mr. Brajendra Nath Pandey, learned APP for the State.

Petitioners seek pre-arrest bail in connection with Basopatti P.S.Case No.182 of 2022, registered for the offences punishable under Sections 323, 341, 354(B), 307 & 504/34 of the Indian Penal Code.

Prosecution story, in brief, is that on 3.9.2022 at around 5.00 P.M., petitioner no.1 attempted to commit rape the informant's daughter but on making *hulla* by the victim girl, the informant reached there and the petitioner no.1 inflicted blow with dagger on the head of the informant. It has further been alleged that the petitioner no.2 gave repeated blow on the head



of the informant's husband causing cut injury. Co-accused Ganga Kumari gave '*hasua*' blow to the informant's son, Chandan Kamat and co-accused Kailash Devi gave knife blow to informant's husband. It has lastly been alleged that co-accused Yamuna Devi assaulted the informant with *danda*.

Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and they have not caused any injury to the informant, her daughter and others. Due to personal enmity, after ten days of the date of alleged incident, the present FIR has been lodged against them as the alleged incident took place on 3.9.2022 and the FIR has been lodged on 13.09.2022. Learned counsel further submits that the injuries which were sustained by Chandan Kamat, Punit Devi and the victim girl are simple in nature and the injury report is enclosed with the bail application. Learned counsel further submits that the petitioners have clean antecedent.

Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

Considering the nature of allegation as well as the injury report, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of his arrest or surrender before the court below within a period of four weeks from



today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. Ist, Madhubani in connection with Basopatti P.S.Case no.182/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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