

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49438 of 2022

Arising Out of PS. Case No.-172 Year-2022 Thana- ROSERA District- Samastipur

1. DHUPAN SAHNI Son of Late Raghunandan Sahni Resident of village - Mirjapur, Ward No.- 5, P.S.- Rosera, Dist.- Samastipur.
2. Pankaj Sahni @ Pankaj Kumar Sahni Son of Dhupan Sahni Resident of village - Mirjapur, Ward No.- 5, P.S.- Rosera, Dist.- Samastipur.
3. Chhotu Kumar Son of Dhupan Sahni Resident of village - Mirjapur, Ward No.- 5, P.S.- Rosera, Dist.- Samastipur.
4. Gulsan Kumar Son of Dhupan Sahni Resident of village - Mirjapur, Ward No.- 5, P.S.- Rosera, Dist.- Samastipur.
5. Gunja Devi Wife of Pankaj Sahni Resident of village - Mirjapur, Ward No.- 5, P.S.- Rosera, Dist.- Samastipur.
6. Gangia Devi @ Savitri Devi Wife of Dhupan Sahni Resident of village - Mirjapur, Ward No.- 5, P.S.- Rosera, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha
For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

8 09-02-2023 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners apprehends arrest in connection with Rosera P.S. Case No. 172 of 2022 registered for the offence under sections 341, 323, 324, 326, 354, 379, 504, 506/34 of the Indian Penal Code and sections 3/4 of the Witch Practices (Dian) Act.

Learned counsel for the petitioners submits that



petitioners have not committed any offence as alleged in the first information report and they have been falsely implicated in this case. Both the parties are agnates and there is admitted land dispute between the parties as is evident from Annexure-2. Petitioners have no criminal antecedent.

Learned Addl. P.P. appearing for the State opposes the prayer for bail and submits that petitioners are alleged to have abused and assaulted the informant by calling her Dian and sprinkled hot refined oil upon the body of the husband, devar and nephew of the informant resulting in serious burn injuries to them. He, therefore, submits that petitioners do not deserve to be granted the privilege of anticipatory bail.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners. Their prayer for bail is, accordingly, rejected.

(Arvind Srivastava, J)

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