

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64304 of 2022

Arising Out of PS. Case No.-389 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

-
1. Chandeshwar Sahni @ Chandreshwar Sahni, Son Of Bashistha Sahni, Resident Of Village- Ghitkahiyen, P.S.- Lakhaura, District- East Champaran
 2. Chhathu Sahni @ Chhathu Kumar, Son Of Bashistha Sahni, Resident Of Village- Ghitkahiyen, P.S.- Lakhaura, District- East Champaran
 3. Bashistha Sahni, Son Of Late Lakshman Sahni, Resident Of Village- Ghitkahiyen, P.S.- Lakhaura, District- East Champaran
 4. Reshmi Devi @ Reshma Devi, Wife Of Chandeshwar Sahni, Resident Of Village- Ghitkahiyen, P.S.- Lakhaura, District- East Champaran
 5. Gulabi Devi @ Shreekanti Devi, Wife Of Chhathu Sahni, Resident Of Village- Ghitkahiyen, P.S.- Lakhaura, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari, Adv.

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-04-2023 At the outset, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application with respect to Bashishtha Sahni, petitioner no.3, since during pendency of this case, he has already been arrested.

Permission is accorded. The anticipatory bail application with respect to petitioner no. 3 is dismissed as withdrawn.

Heard learned counsel for the petitioners, State and informant.



The petitioners (i.e. petitioner nos. 1, 2, 4 and 5) apprehend their arrest in Mufassil (Lakhaura) P.S. Case No. 389 of 2022 registered for the offences punishable under Sections 341, 323, 325, 307, 379, 354, 504/34 of the Indian Penal Code.

Prosecution case, in brief, is that on the alleged date and time of occurrence all the accused persons including the petitioners came at the door of informant armed with deadly weapons assaulted the informant and his family members, as a result of which, three persons sustained injury. Petitioner no.1 and petitioner no.2 assaulted Phuldev Sahni on account of which he sustained five injuries out of which injury no. 1 and 4 are grievous in nature.

Considering the grievous nature of injury caused by petitioner no. 1 and 2, their prayer for anticipatory bail is rejected.

So far as prayer for bail of petitioner no. 4 and 5 are concerned, since there is general and omnibus allegation against them and the fact that they are ladies and have got clean antecedent, their prayer for bail is allowed.

Learned counsel for the State and informant vehemently opposed the bail application.

Let petitioner nos. 4 and 5, above-named, in the event



of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Mufassil (Lakhaura) P.S. Case No. 389 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application is accordingly disposed of.

(Prabhat Kumar Singh, J)

lata/-

U		T	
---	--	---	--

