

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71486 of 2023

Arising Out of PS. Case No.-47 Year-2023 Thana- GHANSHYAMPUR District- Darbhanga

1. Mahesh Sahni Son Of Jogi Sahni
 2. Channu Sahni @ Channo Sahni Son of Domi Sahni
 3. Santosh Kumar Sahni @ Santosh Sahni Son of Mahesh Sahni
 4. Mahendra Sahni Son of Nathuni Sahni
 5. Singheshwar Sahni Son of Sone Sahni
 6. Lakshmi Sahni Son of Mahendra Sahni
- Petitioner/s
- Versus
- The State of Bihar
- Opposite Party/s
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Appearance :

For the Petitioner/s : Mr.Sameer Ranjan, Advocate
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-11-2023 Heard Mr. Sameer Ranjan, learned counsel appearing on behalf of the petitioners and Mr. Ajay Kumar Jha, learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with Ghanshyampur P.S.Case No.47 of 2023, registered for the offences punishable under Sections 147, 148, 341, 323, 308, 324, 379, 504 and 506 of the Indian Penal Code.

3. Prosecution story, in brief, is that when the informant and two other persons were returning their home, the petitioners along with the other accused persons, who were



dancing on D.J. song, stopped the motorcycle of the informant side and assaulted with fists and slaps. They also assaulted to the other persons of the informant side, who came to save them. They snatched the motorcycle and took away Rs.5,000/- from the informant and Rs.7,000/- from Ranjit Sahni. They also took away the mobile of Singheshwar Sahni.

4. Learned counsel appearing on behalf of the petitioner submits that the present FIR has been filed by the informant, objecting the loud voice coming from the sound system of the D.J. party. Petitioners are not owner of the D.J. as such for the illegal act, they are not responsible. However, due to enmity, both the parties entered into free fight and in course of the same, the informant side have received injury. Learned counsel further submits that the petitioners and other accused persons might have injured the informant side but without any intention in their self-defence. The injuries are simple in nature.

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

6. Having considered the rival submissions made on behalf of the parties as well as considering the nature of injury, which is simple, the petitioners are directed to be released on



pre-arrest bail, in the event of their arrest or surrender before the learned 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 ACJM, Biraul, Darbhanga in connection with Ghanshyampur P.S.Case No.47 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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