

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4370 of 2024

Arising Out of PS. Case No.-189 Year-2023 Thana- SIMRI District- Darbhanga

1. Devendra Sahni Son Of Late Shiv Lal Sahni Resident Of Village - Ramchela Simri, Police Station - Simari, District - Darbhanga
2. Sundri Devi Wife Of Devendra Sahni Resident Of Village - Ramchela Simri, Police Station - Simari, District - Darbhanga
3. Rakesh Sahni Son Of Devendra Sahni Resident Of Village - Ramchela Simri, Police Station - Simari, District - Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das
For the Opposite Party/s : Mrs. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. Learned counsel for the petitioners seek permission to withdraw the present anticipatory bail application with respect to the petitioner no. 1 because he has been arrested during the pendency of the application.

3. Permission is accorded.

4. Accordingly, the present anticipatory bail application is dismissed as withdrawn with respect to the petitioner no. 1.

5. So far as regarding petitioners no. 2 & 3 are



apprehending their arrest in connection with Simri P.S. Case No. 189 of 2023 dated 14.09.2023 registered for the offences punishable under Sections 341, 323, 308, 354, 379, 504, 506/34 of the Indian Penal Code.

6. As per the prosecution case, the petitioners no. 2 & 3 and other co-accused are alleged to assaulted informant with iron rod which resulted injury on his head and eyes. They also assaulted with informant's wife with brick causing injury on her waist.

7. Learned counsel for the petitioners submitted that the petitioners no. 2 & 3 are falsely been implicated in the present case. The petitioners have no criminal antecedent mentioned in para 3 of the bail application. Learned counsel further submitted that both the parties are agnates and there is admitted land dispute between the both parties. There is no specific allegation levelled against the petitioners rather there is general and omnibus allegation against both the petitioners.

8. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

9. Considering the aforesaid facts and circumstances of the case and there is general and omnibus allegation levelled against the petitioners, let the above named petitioners no. 2 &



3, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Darbhanga in connection with Simri P.S. Case No. 189 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

10. This application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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