

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5348 of 2024

Arising Out of PS. Case No.-196 Year-2023 Thana- KHODAWANDPUR District- Begusarai

1. Milan Kumari @ Milan Devi W/O PRAMOD KUMAR RESIDENT OF SHEKHATOLA, EKAMBA, PS. KHODAWANDPUR (CHHORAHI O.P), DIST. BEGUSARAI.
2. ASHOK SAHNI @ ASHOK SAHANI S/O BADO SAHANI RESIDENT OF SHEKHATOLA, EKAMBA, WARD NO. 07, PS. KHODAWANDPUR (CHHORAHI O.P), DIST. BEGUSARAI.
3. PRAMOD SAHNI @ PRAMOD KUMAR S/O BADO SAHANI RESIDENT OF SHEKHATOLA, EKAMBA, WARD NO. 07, PS. KHODAWANDPUR (CHHORAHI O.P), DIST. BEGUSARAI.
4. SUJEET SAHNI S/O BADO SAHANI RESIDENT OF SHEKHATOLA, EKAMBA, WARD NO. 07, PS. KHODAWANDPUR (CHHORAHI O.P), DIST. BEGUSARAI.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mrs. Soni Shrivastava, Advocate
		Mr. Kalyan, Advocate
For the Opposite Party/s :		Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 379, 504 & 506/34 of the Indian Penal Code.

3. While the informant along with his son was returning home along with his son from Chhorahi Bazar and arrived near Kachra Ghar, all the F.I.R. named persons including these petitioners are said to have ambushed and started abusing the informant and his son and when the same was objected then



petitioner no.2 hit the leg of the informant with the iron rod as a result of which, the leg got fractured and the informant became unconscious. Petitioner no.2 is said to have hit on the head of the informant with the iron rod. Petitioner no.1 is said to have hit on the head of the informant's son with iron rod resulting in head injury.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to political rivalry. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that there existed a political rivalry between the parties as petitioner no.3 was a polling agent in the Zila Parishad election in which the informant's wife contested and lost. It was with this malice that the petitioners have been falsely implicated in this case. It is further submitted that the petitioner no.1 has filed a complaint case against the present informant, his son and his other family members and for taking revenge this false and fabricated case has been lodged against the petitioners and others.

5. Having regard to the facts and circumstances of the case as well as the fact that the allegations levelled against the petitioner nos.1, 2 and 4 are general and omnibus in nature, let



the above named petitioner nos.1, 2 and 4 be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Khodawandpur (Chhorahi O.P.) P.S. Case No. 196 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

6. Considering the facts and circumstances of case as well as the fact that there is specific allegation against petitioner no.3 of assaulting the informant, I am not inclined to enlarge petitioner no.3 on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, petitioner no.3 is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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