

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4675 of 2024

Arising Out of PS. Case No.-271 Year-2023 Thana- MEHSI District- East Champaran

1. Vinay Kumar @ Vinay Kumar Nishad Son Of Vijay Sahani R/O Vill.- Ujhilpur, P.S.- Mehsi, Distt.- East Champaran, Motihari
2. Harimedha Sahani Son Of Late Dharendra Sahani R/O Vill.- Ujhilpur, P.S.- Mehsi, Distt.- East Champaran, Motihari
3. Vijay Sahani Son Of Late Kishori Sahani R/O Vill.- Ujhilpur, P.S.- Mehsi, Distt.- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Om Prakash Singh, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2024 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Mehsi P.S. Case No. 271 of 2023 dated 18.08.2023, registered for the offence punishable u/s 436, 341, 323 and 504/34 of the IPC, pending in the court of learned Chief Judicial Magistrate, East Champaran at Motihari.

3. Allegedly all the FIR named persons including these petitioners have poured petrol and set fire in the house of the informant. It is further alleged that all the accused persons have assaulted the informant and her family members with *lathi* and iron rod.

4. It is submitted by learned counsel for the petitioners



that the petitioners are quite innocent and have been falsely implicated in this case due to previous grudge. There is case and counter-case between the parties. The allegations levelled against the petitioners is general and omnibus in nature.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, it is not fit case to grant anticipatory bail, hence they do not deserve anticipatory bail.

6. Considering the facts and circumstances of case, the nature of offence is serious, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected.

7. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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