

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9728 of 2024

Arising Out of PS. Case No.-632 Year-2023 Thana- MOTIHARI MUFFASIL District- East
Champanan

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1. Nagina Sahani Son Of Baldev Sahni R/O-Bardaha, P.S.-MUFFASIL, Distt.-EAST Champanan
 2. Dharmendra Sahni @ Kariaka Son Of Baldev Sahani R/O-Bardaha, P.S.-MUFFASIL, Distt.-EAST Champanan
 3. Birendra Sahani Son Of Baldev Sahani R/O-Bardaha, P.S.-MUFFASIL, Distt.-EAST Champanan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashmi Jha

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Muffasil P.S. Case No. 632/2023 dated 02.09.2023 registered for the offences punishable u/ss 341, 323, 324, 307 and 504 read 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have abused the son of the informant when he was returning after attending call of nature. On protest, the petitioner No.1 assaulted the informant's son with bamboo and the co-accused assaulted him with Tanguli, causing injury.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case on account of land dispute. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. There is general and omnibus allegation against the petitioner No. 2 and 3. Learned counsel has submitted that as per Annexure-2, the injury is simple in nature.

5. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the injury being simple in nature, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory 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, Motihari, East Champaran in connection with Muffasil P.S. Case No. 632/2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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