

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16151 of 2024

Arising Out of PS. Case No.-390 Year-2023 Thana- CHIRAIYA District- East Champaran

1. Santosh Kumar S/o Birendra Sahani R/o vill - Dih Mahuahi, P.S. - Chiraiya, Distt. - East Champaran
2. Ravinder Sahani S/o Late Hira Sahani R/o vill - Dih Mahuahi, P.S. - Chiraiya, Distt. - East Champaran
3. Narath Sahani S/o Late Hira Sahani R/o vill - Dih Mahuahi, P.S. - Chiraiya, Distt. - East Champaran
4. Munni Sahani @ Munnilal Sahani S/o Late Hira Sahani R/o vill - Dih Mahuahi, P.S. - Chiraiya, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-03-2024 Learned counsel for the petitioners, at the outset, submits that the petitioner no. 2, Ravinder Sahani has been arrested during the pendency of the petition and as such, seeks permission to withdraw the petition against him.

2. Accordingly, the petition against him stands dismissed.

3. Heard the parties.

4. The petitioners are apprehending their arrest in connection with Chiraiya P.S. Case No. 390 of 2023 for the offence under sections 341, 323, 324, 307, 354(B), 504, 506/34 of the I.P.C. lodged on 20.08.2023 by the informant, Geeta Devi.

5. As per the prosecution story, the allegation is that all the accused persons having iron rod surrounded the



informant side and assaulted the informant on his head causing injury. The further allegation is that when the informant went to save her husband, she was also assaulted by the female inmates as also Santosh Kumar and Munni Sahani (petitioner nos. 1 and 4). Later, with the help of villagers, the informant was taken to the local hospital and then, to the Sadar Hospital, Motihari and ultimately, to Nilkanth Hospital, Motihari whereafter the FIR.

6. Though learned counsel for the petitioners tried to impress upon this Court that the injuries have been found to be simple in nature and there is a counter version also to the said case. Learned counsel for the informant submitted that a bare perusal of the FIR would show that how brutally informant’s husband was assaulted as a result whereof, he was taken to Sadar Hospital, Motihari and then shifted to Nilkanth Hospital, Motihari for treatment.

7. In that backdrop, it would be appropriate that the petitioners seek bail, the anticipatory bail application stands rejected.

(Rajiv Roy, J)

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