

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17923 of 2024

Arising Out of PS. Case No.-222 Year-2022 Thana- SARAI District- Vaishali

Sudhir Sahni @ Sudhir Kumar @ Sudhir Kumar Sahni S/o Raja Sahni R/o
vill - Paura, P.S. - Sarai, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh

For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-04-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 149, 447, 341, 323, 337, 338, 354(A), 354(B), 504 and 506 of the Indian Penal Code read with Section 27 of the Arms Act and Section 8 of the POCSO Act.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of one case, but then the same was also instituted by the present informant, which amply demonstrates that the relationship in between the petitioner and the informant is strained.

4. The informant alleges that on 17.07.2022 at about 08:00 PM in the night, the petitioner with other accused persons



and 30 to 35 unknown accused arrived at the house of the informant and thereafter abused the informant and her family members, thereafter, Baiju Sahani and the petitioner misbehaved with minor granddaughter of the informant and all the accused persons tried to commit rape and tore the cloths of her granddaughter and also tried to forcefully take her away and pelted stones.

5. Learned counsel for the petitioner next submits that the petitioner has been falsely implicated in the present case on account of strained relationship of the petitioner and the informant as recorded hereinabove. It is further submitted that the instant false case has been instituted on account of dispute over a pond which is settled in the name of Fisheries Co-operative Society, but has been captured by one Praveen Singh along with the husband of the informant and others and when the same was objected from the side of the petitioner, the informant's side assaulted Baiju Sahani and also fired upon other accused of the present case, on account of which Sunil Sahani sustained pellet injury which led to institution of Sarai P.S. Case No. 221 of 2022 from the side of the petitioner. It is thus submitted that in order to coerce the petitioner into submission, the instant false case has been instituted. It is next



submitted that Similarly situated co-accused Nand Lal Sahni has been granted the privilege of anticipatory bail by an order dated 04.08.2023 in Criminal Miscellaneous No. 46155 of 2023 by a learned Co-ordinate Bench.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sarai P.S. Case No. 222 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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