

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20134 of 2024

Arising Out of PS. Case No.-405 Year-2022 Thana- SUGAULI District- East Champaran

1. Jagdish Sahni S/o- Late Rajvanshi Sahni Village- Shripur Dharampur Ps- Sugauli Dist- East Champaran
2. Moti Sahni @ Motilal Sahni son of Late Ramnath Sahni Village- Shripur Dharampur Ps- Sugauli Dist- East Champaran
3. Upendra Sahni @ Upendra Kumar son of Jagdish Sahni Village- Shripur Dharampur Ps- Sugauli Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar
For the Opposite Party/s	:	Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for anticipatory bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 324, 307, 302, 120B of the Indian Penal Code.

3. As per prosecution case, while the informant and her husband were sitting at their house, in the meantime, 25 FIR named accused persons including the petitioner armed with various weapons came there started abusing them. It is further alleged that on oppose, the accused persons started assaulting to



the informant's husband due to which he died on spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. There is a dispute regarding property partition between the parties due to this reason the petitioner has falsely been implicated in this case. From perusal of F.I.R., it appears that general and omnibus allegation of assaulting is leveled against the petitioner. As per postmortem report which is annexed with the Case diary, it appears that the death of the deceased was occurred due to head injury and the said injury is not attributed to the petitioner. Other accused person has already been enlarged on regular bail by this Court vide order dated 15.5.2023 passed in Cr. Misc. No. 10252 of 2023.

5. Learned APP appearing for the state has vehemently opposed the prayer of anticipatory bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Sugauli P.S. Case No. 405 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/-



(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari. subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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