

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32366 of 2024

Arising Out of PS. Case No.-153 Year-2023 Thana- SAHIYARA District- Sitamarhi

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1. Gopi Sahni son of Late Brij Nandan Sahni Village- Shivanagar Ps- Sahiyara Dist- Sitamarhi
 2. Dharkhan Sahni son of Nathuni Sahni Village- Shivanagar Ps- Sahiyara Dist- Sitamarhi
 3. Shivam Kumar son of Late Satrudhan Sahni Village- Shivanagar Ps- Sahiyara Dist- Sitamarhi
 4. Madhurendra Kumar son of Dharmesh Sahni Village- Shivanagar Ps- Sahiyara Dist- Sitamarhi

... .. Petitioners

Versus

1. The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Opposite Party/s : Mr.Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-04-2024 Heard learned counsel appearing on behalf of the

petitioners and learned Additional Public Prosecutor for the

State.

2. The accused/petitioners are named in the F.I.R.

and apprehending his arrest in connection with Sahiyara P.S.

Case No. 153 of 2023 registered for the offences punishable

under Sections 147, 148, 149, 341, 323, 324, 307, 364

and 506 of the Indian Penal Code.

3. The allegation against the petitioners is to

assault informant and others by means of sharp edged



weapons, causing head and other bodily injuries, having intention to cause death, where occurrence arises out of local disputes and differences.

4. Learned counsel appearing on behalf of the petitioners submitted that allegation against petitioners, as to cause physical assault, is very much general and omnibus and, interestingly from injury report of injured namely, Surendra Singh, it appears that no any injury was found upon him. He was physically and mentally fit during his medical examination. It is also pointed out that during course of investigation, under Section 161 of Cr.P.C. specifically stated that he failed to identify anyone as to who assaulted him, whereas he shows his suspicion regarding co-accused Satrudhan Sahani, Raju Kumar and Shivam Kumar and their family members.

5. Learned APP appearing on behalf of the State opposes the prayer for anticipatory bail of the petitioners.

6. In view of the aforesaid facts and circumstances of the case and by taking note of injury report and statement of injured, petitioners above named, in the event



of their arrest or surrender before the learned Court within a period of four weeks from today, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate - 1st Class, Sitamarhi/concerned Court in connection with Sahiyara P.S. Case No. 153 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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