

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34734 of 2024

Arising Out of PS. Case No.-116 Year-2019 Thana- CHERIYA BARIYARPUR District-
Begusarai

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1. Geeta Devi WIFE OF LATE SONELAL SAHNI VILLAGE- MANJHAUL PS- CHERIYA BARIYARPUR, DIST- BEGUSARAI
 2. JITENDRA SAHNI SON OF LATE SONELAL SAHNI VILLAGE- MANJHAUL PS- CHERIYA BARIYARPUR, DIST- BEGUSARAI
 3. RAJA SAHNI @ RAJA KUMAR SAHNI SON OF LATE SONELAL SAHNI VILLAGE- MANJHAUL PS- CHERIYA BARIYARPUR, DIST- BEGUSARAI
 4. SHIVAM KUMAR SON OF RANJEET SAHNI VILLAGE- MANJHAUL PS- CHERIYA BARIYARPUR, DIST- BEGUSARAI
 5. BHAGARATHI DEVI WIFE OF JITENDRA SAHNI VILLAGE- MANJHAUL PS- CHERIYA BARIYARPUR, DIST- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bipin Kumar
For the State	:	Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 25-09-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Cheriya Bariyarpur Police Station Case No. 116 of 2019, dated 20.07.2019, disclosing offences punishable under Section 341/323/308/504/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 18.07.2019, all the accused persons entered into



her house and started pressurizing her to put her signature on a blank plain paper and when she refused to do so, all the accused persons, including the petitioners, started pressing her neck and the petitioner no. 2 inflicted knife blow upon her, due to which she sustained injury. It has further been alleged that on hearing her cry, when her younger son tried to save her, all the accused persons assaulted him with fists and legs and co-accused Amar Kumar took Rs. 50,000/- from the box and also broken the house hold articles.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have not committed any offence in the manner alleged. He submits that the petitioners have been implicated in this case due to dispute regarding passage. He also submits that the petitioners were given benefit of Section 41-A of the Code of Criminal Procedure, 1973, but after completion of investigation, charge sheet has been submitted and summons/warrants have been issued and the petitioners have apprehension that upon appearance, they may be taken into custody.
5. Regards being had to the submission made by the parties



and taking into consideration the fact that petitioners were all along co-operated during investigation and have been given the advantage of Section 41-A of the Code of Criminal Procedure, 1973 and were not arrested by the Police and charge sheet has been submitted, as such, I am inclined to grant the petitioners privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Manjhaul, Begusarai, in connection with Cheriya Bariyarpur Police Station Case No. 116 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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