

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36852 of 2024

Arising Out of PS. Case No.-537 Year-2023 Thana- SUGAULI District- East Champaran

1. Puja Sahani @ Puja Chaudhary Late Kanhaiya Sahani Resident Of Village- Sirkhindi, P.S.- SUGAULI, DIST- EAST CHAMPARAN
2. RAMU KUMAR SAHANI @ RAMU SAHANI SON OF PUJA SAHANI R/O VILLAGE- SIRKHINDI, P.S.- SUGAULI, DIST- EAST CHAMPARAN
3. MUNNA SAHANI @ MUNNA KUMAR SON OF DHURENDRA SAHANI @ DHURANDHAR SAHANI R/O VILLAGE- KHODA MANSIDHA, P.S.- SUGAULI, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 03-07-2024 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 Sugauli Police Station Case No. 537 of 2023, dated 13.12.2023, disclosing offences under Sections 447/448/341/323/307/504/506/34 of the Indian Penal Code and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that on 12.12.2023, in the evening, ten accused persons came at the door of the informant and started firing and entered into the house of the informant. The accused



persons enquired about whereabouts of the daughter of the petitioner no. 1 and informant's son, namely, Somnath Sahani, and when the wife of the informant did not answer, the accused persons assaulted the son and wife of the informant.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in the present case as a counter blast to the First Information Report lodged by the wife of the petitioner no. 1 against the son of the informant for kidnapping the daughter of the petitioner no. 1. The First Information Report lodged by the wife of the petitioner no. 1 is Sugauli Police Station Case No. 539 of 2023. The petitioner no. 1 is the father of the girl, who was kidnapped and the petitioner no. 2 and 3 are brother and other relative. On the date of occurrence, the petitioner had gone to the informant's house for knowing the whereabouts of the daughter of the petitioner no. 1, but he has falsely been implicated in this case on the basis of concocted story. The petitioners have got no criminal antecedent.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the



daughter of the petitioner no. 1 was kidnapped for which the First Information Report has been lodged by the wife of the petitioner no. 1, I am inclined to grant the petitioner 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 four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Sugauli Police Station Case No. 537 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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