

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 47472 of 2024

Arising Out of PS. Case No.-122 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

1. Sanchit Sahni @ Sanchit Sahani S/o Late Rama Autar Sahani R/o Village-Usari Bazar, P.S.-Baikunthpur, District-Gopalganj
2. BineshwarI Sahani S/o Late Rama Autar Sahani R/o Village-Usari Bazar, P.S.-Baikunthpur, District-Gopalganj
3. Satendra Sahani S/o Kishun Sahani R/o Village-Usari Bazar, P.S.-Baikunthpur, District-Gopalganj
4. Abhimanu Sahani S/o Ram Pravesh Sahani R/o Village-Usari Bazar, P.S.-Baikunthpur, District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Prasad Gupta, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-08-2024

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for grant of anticipatory bail apprehending their arrest in connection with Baikunthpur P.S. Case no.122 of 2018 registered for the offence punishable under sections 308, 341, 323, 504 and 34 of the Indian Penal Code.

3. As per allegation in the F.I.R, the informant states that while the accused were cutting soil near the *Naad* of the informant, on protest by the informant, all the accused



persons including the petitioners herein came variously armed with *lathi* and *danda* and as result of assault by them the informant and others sustained injuries.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. The manner of occurrence is other than what has been narrated in the FIR. The petitioners were on police bail. They have no criminal antecedents and undertake to cooperate in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the direct allegation of assault against the petitioners in the F.I.R., the injury reports finding mention in paragraph nos. 15 to 18 of the case diary as is evident from the order of the learned trial Court together with the application of anticipatory bail having been rejected by the learned Court below on 2.7.2018 with the directions to the petitioners to surrender within a period of four weeks and the petitioners not having complied with the directions of the learned trial Court and having moved this application for anticipatory bail after 6 years, the Court is not inclined to enlarge the petitioners on anticipatory bail and the same is rejected.



7. The petitioners are directed to surrender in the learned trial Court within a period of four weeks from today.

(Partha Sarthy, J)

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