

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48064 of 2024

Arising Out of PS. Case No.-362 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

1. Priyanka Devi, Wife of Raman Sahni @ Ravan Sahni, R/o Village- Hasanpur Surat, P.S.- Shahpur Patori, Dist- Samastipur
2. Ganesh Sahni, Son of Late Balchandra Sahni, R/o Village- Hasanpur Surat, P.S.- Shahpur Patori, Dist- Samastipur
3. Savan Sahni @ Saavan Sahni @ Savan Kumar Sahni @ Sawan Kumar Sahni, Son of Ganesh Sahni, R/o Village- Hasanpur Surat, P.S.- Shahpur Patori, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-08-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Patori P.S. Case No. 362 of 2023 dated 01.06.2023 registered for the offences punishable under Sections 341, 323, 307, 354, 379, 427 and 504 read with Section 34 of the Indian Penal Code.

3. Mr. Dilip Kumar Roy, learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence and they have been falsely implicated in this case due to dirty village politics in connivance with the



enemies of the petitioners and the police, in fact, the petitioners and the informant are agnates and a land dispute is running in between them and in this regard, a Title Suit bearing No. 35 of 2016 is pending before the learned court below and the alleged incident took place due to an admitted land dispute. Learned counsel further submits that the alleged incident took place on 23.05.2023 but the FIR was instituted on 01.06.2023 which shows that the FIR was instituted with oblique motive afterthought. It is further submitted that there is general and omnibus allegation against the petitioners while specific allegation is against other co-accused person, namely, Raman Sahni @ Ravan Sahni and the petitioners have got clean antecedent.

4. Mr. Syed Ehteshamuddin, learned APP for the State has opposed the prayer for bail of the petitioners.

5. Considering the facts and circumstances of this case appearing from the FIR as well as above noted submissions and mainly the facts that as per the FIR, ten persons, including the petitioners, have been named but the main allegation is against co-accused Raman Sahni @ Ravan Sahni though the Petitioner No. 2 Ganesh Sahni is alleged to have instigated the co-accused Raman Sahni @ Ravan Sahni however, he is said to



be 80 years old person and against rest petitioners, there is no specific allegation in the FIR and the alleged occurrence is not said to have been committed in a planned manner, in my opinion, the petitioners deserve to the privilege of anticipatory bail. Accordingly, let the petitioners named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory 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 Court concerned in connection with Patori P.S. Case No. 362 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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