

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51697 of 2024

Arising Out of PS. Case No.-271 Year-2018 Thana- TAJPUR District- Samastipur

1. Chandar Sahni @ Ram Chandra Sahni Son of Ganaur Sahni R/o Village- Darba Akauna, P.S.- Tajpur (Halai O.P.), District- Samastipur
2. Aanand Kumar Sahni Son of Chandar Sahni @ Ram Chandra Sahni R/o Village- Darba Akauna, P.S.- Tajpur (Halai O.P.), District- Samastipur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Prasad Roy
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-08-2024 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable in connection with Tajpur (Halai O.P.) P.S. Case No. 271 of 2018 under Sections 341, 323, 307, 379, 504, 34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against eight named accused persons including the petitioners against whom there is allegation that they all attacked on the informant and snatched money. Allegation against petitioner No.1 is that he has attacked by Farsa on the head of the informant and allegation against petitioner No.2 is that he has



attacked with iron rod and subsequently they all fled away from the spot and the victim was admitted in hospital.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the on the same date and place of occurrence, there is case and counter case bearing Tajpur (Halai O.P.) P.S. Case No. 273 of 2018 under Sections 341, 323, 379, 504, 34 of I.P.C. were lodged.

5. Learned counsel further submits that antecedent of the petitioners is clean.

6. Learned APP for the State opposes the prayer for bail and submits that in the rejection order, it has been acknowledged that injury have been found in the injury report though the injury are simple in nature. He further submits that anticipatory bail application of the petitioners has been rejected in the year 2021 and after lapse of about three and a half years, they have moved for anticipatory bail and on this ground, the anticipatory bail should not be granted.

7. In the present facts and circumstances and in view of the fact that petitioners have moved for anticipatory bail after lapse of three and a half years from earlier rejection order, this Court is not inclined to grant anticipatory bail to the petitioners,



therefore, the bail application of the petitioners is hereby rejected.

8. However, the trial Court is directed to consider the regular bail application of the petitioners, if they surrender within four weeks from today and pray for regular bail, then trial court shall pass order without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J)

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