

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63030 of 2024

Arising Out of PS. Case No.-218 Year-2024 Thana- MADHUBAN District- East Champaran

1. Dashrath Sahni Son of Ramdeo Sahni
2. Ramdeo Sahni Son of Late Batahu Sahni
- Both are Resident of village- Khairba Nayka Tola PS-Garahiya District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-09-2024

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for bail apprehending their arrest in connection with Madhuban (Garahiya) P.S. Case no.218 of 2024 registered for the offence punishable under sections 354B, 379, 341, 323, 447, 380, 504 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that finding her alone, the petitioner no.1 tried to enter her house in the night at about 1 a.m. on 28.5.2024 but on *hulla* being raised by the informant, he escaped. It is further stated that the next day, the four named accused persons including the two petitioners herein came and started to abuse the informant,



assaulted and misbehaved with her.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case over a trivial dispute relating to water drainage. Admittedly no injury has been caused. It is for this reason that while the occurrence is said to have taken place in the early hours of 28.5.2024, inspite of the police station being at a distance of only 8 kilometers, information was given at the police station only after six days on 4.6.2024. The petitioners have no criminal antecedent.

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

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioners in the FIR together with the inordinate delay in lodging of the FIR and the petitioners not having any criminal antecedent, it is directed that the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Madhuban (Garahiya) P.S. Case no.218 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st



Class, East Champaran, Motihari, subject to the conditions as
laid down under section 438(2) of the Code of Criminal
Procedure.

(Partha Sarthy, J)

Saurabh/-

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