

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67013 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- Nehra District- Darbhanga

1. Chandan Sahni @ Chandan Kumar Sahni Son of Hare Ram Sahni R/O- Rupnagar, P.S- Biraul, District- Dharbhanga
2. Hareram Sahni Son of Gangai Sahni R/O- Rupnagar, P.S- Biraul, District- Dharbhanga
3. Pappu Sahni Son of Gangai Sahni R/O- Rupnagar, P.S- Biraul, District- Dharbhanga

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-10-2024 Heard Mr. Shashank Shekhar, learned counsel for the petitioners and Mr. Dilip Kumar No.1, learned A.P.P. for the State.

2. At the very outset, learned counsel for the petitioners submits that he does not want to press this application with regard to petitioner no.2 and seeks permission to withdraw this application in respect of him.

3. Permission is accorded.

4. Accordingly, this application is dismissed as withdrawn in respect of petitioner no.2.

5. Now, this application survives only for petitioner nos.1 and 3.



6. Heard learned counsel for the parties with regard to prayer for bail for petitioner nos.1 and 3.

7. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504 & 506/34 of the Indian Penal Code.

8. While the father of the informant was regressing to home after eating betel leaf, all the F.I.R. named accused including these petitioners, being inebriated condition, are said to have assaulted him by means of lathi and khanti sustaining head injury to him. When the younger brother of the informant rushed in his rescue, he was also assaulted by them.

9. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to dirty village politics. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that as a matter of fact, the present case is an exaggerated version of a scuffle which took place between the parties in the backdrop of a long-existing dispute. It is further submitted that not a single independent witness has supported the prosecution case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.



10. Mr. Dilip Kumar No.1, learned APP for the State opposed the prayer for bail.

11. Having regard to the facts and circumstances of the case, let the above named petitioner nos.1 and 3, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Nehra P.S. Case No.20 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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