

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69040 of 2024

Arising Out of PS. Case No.-290 Year-2023 Thana- MOTIPUR District- Muzaffarpur

1. Surendra Rai Son of Late Rudal Rai Resident of Village- Adulpur (Adalapur), Ward No. 10, P.S.- Motipur, District- Muzaffarpur
2. Vikash Sahni Son of Prakash Sahni @ Ram Prakash Sahni Resident of Village- Adulpur (Adalapur), Ward No. 10, P.S.- Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar, Advocate
For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioners and
learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Motipur P.S. Case no. 290 of 2023 instituted for the offence under Sections 341, 323, 324, 307, 379 and 34 of the Indian Penal Code.

The prosecution case is that Prakash Sahni and Vikash Sahni came from maize field, Vikash Sahni caught the hair of the informant and pulled his neck after that Prakash Sahni started cutting his neck by a knife. At the end of the FIR, it is alleged that Surendra Rai, Prakash Sahni and Vikash



Sahni took away Rs. 1,00,000/- from the informant.

Learned counsel for the petitioners has submitted that petitioners are innocent and have falsely been implicated in connection with the present case. The main thrust of allegation is against Prakash Sahni and so far as petitioner no. 1, Surendra Rai is concerned, there is no direct allegation against him. The only allegation against petitioner no. 2, Vikash Sahni is that he has pulled the hair of the informant and facilitated the occurrence. It is further submitted that the occurrence took place on 21.08.2023 whereas the informant was admitted in private hospital on 25.08.2023 which shows the nature of allegation and injury. Petitioners are having clean antecedent.

Learned APP appearing for the State opposed the prayer of bail of the petitioner.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Motipur P.S. Case no. 290 of 2023, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned Additional Chief
Judicial Magistrate, 2nd (West) Muzaffarpur., subject to the
conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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