

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71560 of 2024

Arising Out of PS. Case No.-252 Year-2023 Thana- SIMRI District- Darbhanga

1. Arun Sahni S/O Phulchandra Sahni @ Fulchan Sahni Resident of village- Kansi, P.S- Simri, District- Darbhanga.
2. Ram Babu Sahni S/O Phulchandra Sahni @ Fulchan Sahni Resident of village- Kansi, P.S- Simri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubham Sourav, Advocate.

For the Opposite Party/s : Mr. (Dr.) Mrityunjaya Kr.Gautam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Simri P.S. Case No. 252 of 2023 instituted under Sections 341, 323, 324, 325, 307, 504, 506, 427 and 34 of the Indian Penal Code.

3. As per prosecution case, with regard to performing the Chhath Puja the dispute arose between the petitioners and the informant. It is alleged that fifteen accused persons including the petitioners came with weapon and surrounded the house of the informant and assaulted the informant and thereafter took away the jewellery and cash amount of the informant.



4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. The F.I.R. has been lodged after three days without any plausible explanation. During the Chhath Puja an altercation took place in which both parties sustained injuries. There is no specific allegation against the petitioners. As per prosecution case, a *khanti* and iron rod are alleged to have been inflicted on the body of the informant, however, the injury sustained by him is found to be simple in nature. It is further submitted that similarly situated co-accused persons have already been granted anticipatory bail by this Court vide order dated 22.05.2024 passed in Criminal Miscellaneous No. 31262 of 2024. Petitioners have got no criminal antecedent and undertake to cooperate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to each to the satisfaction of the learned



S.D.J.M., Darbhanga in connection with Simri P.S. Case No.
252 of 2023, subject to the conditions laid down in Section
438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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