

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75049 of 2024

Arising Out of PS. Case No.-121 Year-2023 Thana- TEGHRHA District- Begusarai

1. Akhilesh Sahni @ Gariba @ Akhilesh Kumar Son of Mayaram Sahni
2. Vikash Sahni @ Vikash Kumar Son of Rajendra Sahni
Both R/O Vill.- Fardi ward no.6, P.O.- Nonpur, P.S.- Teghra, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 75986 of 2024

Arising Out of PS. Case No.-121 Year-2023 Thana- TEGHRHA District- Begusarai

Sonu Kumar Son of Sunil Kumar Sahni @ Sunil Sahni Resident of Village-
Fardi, P.O.- Nonpur, P.S.- Teghra, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 75049 of 2024)
For the Petitioner/s : Mr. Randhir Kumar No 1, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP
(In CRIMINAL MISCELLANEOUS No. 75986 of 2024)
For the Petitioner/s : Mr. Randhir Kumar No 1, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 2 13-11-2024
1. Heard learned counsel for the parties.
2. The petitioners in this application pray for bail apprehending their arrest in connection with Teghra P.S. Case no.121 of 2023 registered for the offence punishable under sections 307, 341, 323, 324 and 34 of the Indian Penal Code.



3. As per the prosecution case, the informant states that while the accused persons caught hold of the husband of the informant, Akhilesh Sahni is said to have assaulted him brutally with a butt of pistol. It is further stated that all the accused persons assaulted informant's husband.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. Even accepting the statement made in the FIR, the allegation of assault is solely against Akhilesh Sahni and not the other two petitioners. It is further submitted that for an occurrence alleged to have taken place on 29.3.2023, the FIR was registered on 9.4.2023 with no explanation for the delay.

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 allegations against the petitioners, the specific allegation of overt act being against petitioner no.1 in Cr. Misc. no.75049 of 2024 namely Akhilesh Sahni @ Gariba @ Akhilesh Kumar, the Court is not inclined to enlarge the petitioner no.1 Akhilesh Sahni @ Gariba @ Akhilesh Kumar on anticipatory bail and the application is rejected.



7. The petitioner Akhilesh Sahni @ Gariba @ Akhilesh Kumar is directed to surrender in the learned Court below within a period of four weeks.

8. In view of the above facts and circumstances of the case, there being no allegation of specific overt act against the other two petitioners together with the inordinate delay in lodging of the FIR, the petitioner no.2 in Cr. Misc. no.75049 of 2024 namely Vikash Sahni @ Vikash Kumar and the petitioner in Cr. Misc. no.75986 of 2024 namely Sonu Kumar are both directed, in the event of their arrest or surrender before the learned Court below within a period of four weeks, to be released on anticipatory bail in connection with Teghra P.S. Case no.121 of 2023 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 Chief Judicial Magistrate, Begusarai.

(Partha Sarthy, J)

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