

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84431 of 2024

Arising Out of PS. Case No.-172 Year-2024 Thana- BOCHAHAN District- Muzaffarpur

1. Jaikal Devi, W/O Amir Sahni R/O Village- Ram Das Majhaul, Police Station- Bochahan, District- Muzaffarpur
2. Amir Sahni S/O Kailash Sahni R/O Village- Ram Das Majhaul, Police Station- Bochahan, District- Muzaffarpur
3. Kajal Kumari D/o Amir Sahni R/O Village- Ram Das Majhaul, Police Station- Bochahan, District- Muzaffarpur
4. Rupesh Kumar @ Rupesh Sahni S/O Amir Sahni R/O Village- Ram Das Majhaul, Police Station- Bochahan, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Sanjay Kumar S.K., Advocate.
For the State : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Bochahan P.S. Case No. 172 of 2024 dated 25.07.2024, registered for the offences punishable under Sections 192(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 132, 352, 351(2) & 351 (3) of BNS Act.

3. As per allegation, when the Police team reached the home of Sangita Devi, the Police personnel were assaulted by



about 15-20 persons and thereafter, the accused persons fled away. As per enquiry, the names of the petitioners have been taken by *Chowkidar*.

4. Learned counsel for the Petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that there is no way involvement of the petitioners in the alleged offence. Their names have been taken only on the basis of suspicion. They were not present on the place of occurrence and, hence, there is no question of committing the alleged offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioners have got clean antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their



furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M 14 (East), Muzaffarpur, in connection with Bochahan P.S. Case No. 172 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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