

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87547 of 2024

Arising Out of PS. Case No.-74 Year-2023 Thana- RAJNAGAR District- Madhubani

1. Anup Sahani @ Anuplal Sahani S/O Kantu Sahni R/O- Village- Nizamat, Bhatsimar, P.S.- Rajnagar, District- Madhubani.
2. Saroj Sahani S/O Late Panchu Sahni R/O- Village- Nizamat, Bhatsimar, P.S.- Rajnagar, District- Madhubani.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-12-2024 Heard learned counsel for the petitioners and Mr.

Dilip Kr. No. 1, learned APP for the State.

2. At the very outset, learned counsel for the petitioners seeks not to press the prayer for anticipatory bail of the petitioner no. 1.

3. Permission is granted.

4. Accordingly, the prayer for anticipatory bail made through the instant application, on behalf of the petitioner no. 1 is dismissed as not pressed.

5. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned



court below on the same day without being prejudiced by this order.

6. Now, the present application is being heard for consideration of bail of the petitioner no. 2 .

7. The petitioner no.2 apprehends his arrest in a case registered for the offence punishable u/s 143, 341, 323, 324, 307, 379, 448, 354(A), 504, 506 of IPC.

8. The allegation against the petitioner no.2 is that he assaulted the informant side with bamboo *fatta*, iron rod and *farsa*.

9. It is submitted by learned counsel for the petitioners that petitioner no.2 is innocent and has committed no offence. No such occurrence, in the manner as alleged, has ever taken place. There is case and counter case between the parties. The injury was found simple in nature. Petitioner no.2 has no criminal antecedent.

10. Learned APP for the State opposed the prayer for bail.

11. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner no.2, let the above named petitioner no. 2, be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Rajnagar P.S. Case No.74 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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