

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.94 of 2024

Arising Out of PS. Case No.-97 Year-2022 Thana- SINGHWARA District- Darbhanga

1. RAM AYODHI SAHNI @ AYODHI SAHNI S/O SARYUG SAHNI R/O VILLAGE- SANAHPUR BUJURG, P.S- SINGHWARA, DISTT.- DARBHANGA.
2. LAKSHMI SAHNI S/O SARYUG SAHNI R/O VILLAGE- SANAHPUR BUJURG, P.S- SINGHWARA, DISTT.- DARBHANGA.
3. RAM LAKHAN SAHNI @ LAKHAN SAHNI S/O LATE DOMU SAHNI R/O VILLAGE- SANAHPUR BUJURG, P.S- SINGHWARA, DISTT.- DARBHANGA.
4. SHIV PRASAD S/O SRI GARBHU SAHNI R/O VILLAGE- SANAHPUR BUJURG, P.S- SINGHWARA, DISTT.- DARBHANGA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Mr. Vaishnavi Singh, Advocates
For the Opposite Party/s	:	Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 31-01-2024 Heard Mr. Ajay Kumar Thakur, learned counsel for the petitioners and Dr. Indihar Kumari, learned APP for the State.

2. Petitioners apprehend their arrest in connection with Singhwara PS Case No. 97 of 2022 dated 01.06.2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 354(B), 380, 427 and 452 of the Indian Penal Code in which charge-sheet has been submitted under Sections 147, 148, 149, 452, 341, 323, 307, 302, 427, 354(B), 380, 506 and 504 of the IPC.



3. As per First Information Report, altogether 13 persons entered into the house of informant armed with pistols, iron rods, knives etc., and assaulted the informant and his father and also disrobed the mother of the informant.

4. Learned counsel for the petitioners submits that there is inordinate delay in lodging of the FIR inasmuch as occurrence has taken place on 27.05.2022 but the FIR has been lodged on the basis of typed written report submitted on 01.06.2022. The FIR has been sent to the court on 06.06.2022. The petitioners are not named in the FIR and during course of investigation, statement of the informant has been recorded who has disclosed that the petitioners were also present as members of the mob. Some of the FIR named accused persons have been granted anticipatory bail by the Co-ordinate Benches of this Court *vide* Annexure-3 series. He further submits that the petitioners have no criminal antecedent.

5. Regards being had to the submissions made by the parties, taking into consideration the fact that the petitioners are not named in the FIR, specific allegation of assault is upon co-accused persons named in the FIR, some of the co-accused persons have been granted anticipatory bail by the Co-ordinate Benches of this Court. Accordingly, I am inclined to grant



anticipatory bail to the petitioners.

6. Accordingly, in the event of arrest/surrender before the court below within six weeks from today, all the petitioners, named above, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Darbhanga in connection with Singhwara PS Case No. 97 of 2022, subject to the condition as laid down under Section 438(2) of the CrPC.

(Anil Kumar Sinha, J)

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