

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7806 of 2025

Arising Out of PS. Case No.-362 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

1. Pankaj Kumar S/o Pawan Sahni R/o Vill.- Hasanpur Surat, P.S.- Patory, District- Samastipur
2. Pawan Sahni S/o Ganesi Sahni R/o Vill.- Hasanpur Surat, P.S.- Patory, District- Samastipur
3. Devanti Devi W/o Pawan Sahni R/o Vill.- Hasanpur Surat, P.S.- Patory, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Adv.
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 07-02-2025 Heard Mr. Ajay Kumar, learned counsel for the
petitioners and Mr. Murli Dhar, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Patori P.S. Case No. 362 of 2023 dated 01.06.2023 registered for the offences punishable under Sections 341, 323, 307, 354, 379, 427, 504 and 34 of the Indian Penal Code.

3. The main submissions advanced by learned counsel for the petitioners are that the petitioners are innocent and have not committed any offence and they have been falsely implicated in this case due to dirty village politics in connivance with the enemies of the petitioners and the police. In fact, the

petitioners and the informant are agnates and a land dispute is running between them and in this regard, a Title Suit bearing No. 35 of 2016 is pending before the learned Court below and the alleged incident took place due to an admitted land dispute. Learned counsel further submits that the alleged incident took place on 21.05.2023, but the FIR was instituted on 01.06.2023 which shows that the FIR was instituted with an oblique motive and afterthought. It is further submitted that there is general and omnibus allegation against the petitioners while specific allegation is against other co-accused person, namely, Raman Sahani @ Ravan sahani and the petitioners have got fair clean antecedent.

4. Learned APP for the State has opposed the prayer for bail of the petitioners.

5. Considering the aforesaid submissions advanced by the petitioners' counsel and mainly the fact that three co-accused persons, carrying almost similar nature of allegation, have been granted anticipatory bail by this Court vide order dated 20.08.2024 passed in Cr. Misc. No. 48064 of 2024 and against these petitioners, there is no specific allegation of being involved in the alleged assault and further the civil litigation between the informant's family and co-accused Ganesh Sahni is

ongoing and the petitioners are said to be the relatives of co-accused Ganesh Sahni, in my opinion, it is a fit case for anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Patori P.S. Case No. 362 of 2023, subject to the conditions as laid down **under Section 482(2) of the B.N.S.S.**

(Shailendra Singh, J.)

Jyoti Kumari/-

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