

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19377 of 2025

Arising Out of PS. Case No.-182 Year-2018 Thana- TARIYANI CHOWK District- Sheohar

1. Malti Devi @ Manti Devi Wife of Ganour Sahni @ Gonair Sahni Resident of Village- Paharpur, P.S. - Tariyani, District- Sheohar
2. Gita Devi Wife of Ranjit Sahni @ Ranjeet Sahni Resident of Village- Paharpur, P.S. - Tariyani, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amrendra Kumar, Advocate
For the State	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-07-2025 Heard Mr. Amrendra Kumar, learned counsel for the petitioners and Mr. Anil Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Tariyani P.S. Case No. 182 of 2018, F.I.R. dated 15.11.2018 for the offences punishable under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code.

3. According to prosecution case, the petitioners along with other co-accused persons are said to have assaulted the informant's son with Dab on his head with an intention to kill. It is further alleged that they have also assaulted the informant and others.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and from a bare perusal of the F.I.R. it appears that the specific allegation of assault is attributed against the co-accused person, namely, Ganour Sahni and there is no specific allegation of any assault or overt act attributed against these petitioners rather there is general and omnibus allegation against the petitioners. Apart from that, the police after investigation has submitted charge-sheet against the petitioners under Section 341, 323, 504/34 of the IPC but the learned court below, vide order dated 23.09.2023 has taken cognizance against the petitioners under Section 341, 323, 324, 307, 504/34 of the IPC. Apart from that, injury report of the injured person suggest that the injury is found to be simple in nature.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, the petitioners have clean antecedent, the specific allegation of assault is attributed against co-accused, namely, Ganour Sahni and the injury inflicted upon the injured



person is found to be simple in nature, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheohar in connection with Tariyani P.S. Case No. 182 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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