

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17349 of 2025

Arising Out of PS. Case No.-54 Year-2024 Thana- GHATHO District- Samastipur

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1. Kamlesh Sahni S/o- Baijnath Sahni Village- Jagdishpur PS-Ghatho, Dist- Samastipur
 2. Mala Devi @ Mla Devi W/o- Baijnath Sahni Village- Jagdishpur PS- Ghatho, Dist- Samastipur
 3. Rita Devi @ Reeta Devi W/o- Awadhesh Sahni Village- Jagdishpur PS- Ghatho, Dist- Samastipur
 4. Baijnath Sahni S/o- Late Harekishun Sahni Village- Jagdishpur PS-Ghatho, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Adv.
For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 02-04-2025

1. Heard Mr. Surya Narayan Roy, learned counsel for the petitioners and Mr. Ramesh Chandra, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Ghatho P.S. Case No. 54 of 2024 dated 07.09.2024 registered for the offence(s) punishable under Section(s) 191(2), 190, 126(2), 115(2), 303(2), 109, 74, 352 and 351(3) of the B.N.S.

3. As per the prosecution story, the informant stated that on 04.09.2024 at about 8:00 P.M., the petitioners and seven other co-accused persons came to her house, lashed with iron



rod and sharp cut weapons etc. started abusing them. The petitioners and the co-accused persons tried to outrage the modesty of the informant, assaulted her family members and snatched away some valuable items.

4. The main submissions advanced by the petitioners' counsel are that among the petitioners, petitioners no. 2 and 3 are women and the main allegation of assault is against the petitioner no.1 and co-accused Praveen Sahni, in fact, prosecution side assaulted the petitioners for which Ghatho P.S. Case No. 57 of 2024 has been lodged, the major offences under Sections 303(2), 74 and 109 of the B.N.S. are not attracted in this matter in view of the nature of allegation, though, against the petitioners there are criminal antecedent of three cases but they are on bail in all the said cases.

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

6. Considering the seriousness of the allegation appearing against the petitioner no. 1 (Kamlesh Sahni), who and co-accused Praveen Sahni inflicted an iron rod blow at the head of the informant's mother-in-law and the petitioner has criminal antecedents of three cases detailed in the petition, this court is not inclined to grant him the relief of anticipatory bail.



Accordingly, the bail prayer of petitioner no. 1 (Kamlesh Sahni) stands rejected.

7. Considering the nature of allegation appearing against the petitioner no.2 (Mala Devi @ Mla Devi), petitioner no.3 (Rita Devi @ Reeta Devi) and petitioner no. 4 (Bajinath Sahni) among them two are women and in the FIR, there is no specific allegation of assault against them, in my opinion, these petitioners deserve to the relief of anticipatory bail. **Accordingly, let the petitioner no.2 (Mala Devi @ Mla Devi), petitioner no.3 (Rita Devi @ Reeta Devi) and petitioner no.4 (Bajinath Sahni), in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Ghatho P.S. Case No. 54 of 2024 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, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.**

(Shailendra Singh, J)

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