

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57260 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- Nehra District- Darbhanga

1. Raushan Kumar Sahni @ Raushan Kumar S/o Radhe Sahni R/o vill - Jagdishpur, P.S. - Nehra, Distt. - Darbhanga
2. Rohan Kumar Sahni @ Rohan Kumar S/o Radhe Sahni R/o vill - Jagdishpur, P.S. - Nehra, Distt. - Darbhanga
3. Upendra Kumar Sahni @ Upendra Kumar @ Upendra sahani S/o Late Uttim @ Uttam Sahni R/o vill - Jagdishpur, P.S. - Nehra, Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 10-01-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504, 506, 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that when the father of the informant was returning to home after eating betel leaf, all the FIR named accused persons including the petitioners, being inebriated condition, are said to have assaulted him by means of *lathi* and *danda* sustaining head injury to him. When the younger brother of the informant rushed in his rescue, he was



also assaulted by them.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. They have falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that as a matter of fact, the present case is an exaggerated version of a scuffle which took place between the parties in the backdrop of a long-existing dispute. It is further submitted that not a single independent witness has supported the prosecution case. Similarly situated co-accused have been enlarged on bail by this bench vide order dated 29.10.2024 passed in Cr. Misc. No. 67013 of 2024. Learned counsel further submits that petitioner nos. 1 & 2 have no criminal antecedent, whereas petitioner no.3 has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Nehra P.S. Case No.20 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

