

Arising Out of PS. Case No.-477 Year-2023 Thana- KANTI District- Muzaffarpur

Arising Out of PS. Case No.-477 Year-2023 Thana- KANTI District- Muzaffarpur

- Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar S.K.

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-01-2025 1. 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, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 21-6-2023 at 6:30 AM, she along with her husband were at their door, when a quarrel took place between Ranjit and wife of Kishu Sahani, on which her husband (Bigu) asked them not to quarrel, on which Kishu started abusing her husband and called his family members and accordingly they



came and Kamlesh was carrying an iron rod, Amlesh (Petitioner No. 1) a *dabia* and Rakesh (Petitioner No. 2) a *farsa*, and thereafter all the accused persons assaulted her husband causing injury on head and on account of assault, her husband became unconscious and thereafter was taken to hospital at Muzaffarpur from where he was referred to P.M.C.H, as such, there was some delay in instituting the FIR.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that earlier Kamlesh and 4 others had approached this Court seeking anticipatory bail by filing Cr. Misc No. 22582 of 2024, but then Cr. Misc No. 22582 of 2024 was permitted to be withdrawn with respect to Kamlesh. It is next submitted that petitioners are sons of Kishu Sahani and are alleged to have assaulted the husband of the informant, along with Kamlesh and Kishu causing injury on head, but then it is submitted that from perusal of the order impugned, it would manifest that the same records that injured suffered one injury on head which was opined to be grievous. It is next submitted that had four persons assaulted the injured in that event several injuries would have been found on the body of the injured. It is further submitted that Kamlesh was alleged



to have been carrying an iron rod and the wound suffered by the injured was lacerated, as such, it does not appear probable that lacerated wound would have been caused by *dabia* and *farsa*, which the petitioners are alleged to have been carrying.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kanti P.S. Case No. 477 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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