

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88396 of 2024

Arising Out of PS. Case No.-663 Year-2024 Thana- DEHRI TOWN District- Rohtas

1. Sahendra Patel @ Sahendra Kumar Singh S/O Mahendra Patel @ Mahadev Singh R/O Mohalla Tar Bengla Ward P.S- Dehri Town, Distt.- Rohtas.
2. Sanjay Chaubey @ Sanjay Kumar Choubey S/O Brahmeshwar Chaubey @ Barmeshwar Nath Choubey R/O Mohalla Tar Bengla Ward P.S- Dehri Town, Distt.- Rohtas.
3. Santosh Chaubey @ Santosh Kumar Choubey S/O Brahmeshwar Chaubey @ Barmeshwar Nath Choubey R/O Mohalla Tar Bengal Ward P.S- Dehri Town, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashish

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Dehri (Town) P.S. Case No. 663 of 2024 registered for the offences punishable under Sections 126 (2), 115(2), 74, 303(2), 352, 351 (2), 351(3) of BNS 2023.

3. As per prosecution case, petitioner no. 1, *Sahendra Patel*, is said to have assaulted the sons of the informant by means of fists and legs. It is further alleged that petitioners and other concertedly assaulted the informant by means of fists and slaps and Petitioner No. 1, *Sahendra Patel*,



snatched the gold ornament amounting Rs. 1,20,000/-. It is further alleged that Petitioner No.2, *Sanjay Chaubey*, took away Rs. 50000/- from the Almirah and petitioners and others also dashed the informant. It is further alleged that petitioners and other also abused and assaulted the informant and informant's husband and petitioner no. 1 *Sahendra Patel* and co-accused *Ravi Shankar Prasad* outraged the modesty of the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. Learned counsel submits that petitioners bear no criminal antecedent. He further submits that wife of petitioner no. 1 has lodged FIR against two sons of the informant and also petitioners have preferred Complaint before the Subdivisional Public Grievance Redressal Officer, Dehri through their representative *Prashuram Prasad*, father of the petitioner no-3 for facilitating the passage of residents of Mohalla Tar Bengla (Ansari Colony) from Niranjana Bigha to approach main road NH2C which was being objected by the informant and her two sons. He further submits that present case is nothing but the retaliatory action against the petitioners in order to suppress the grievance which has been put up before SDM. Learned counsel



for the petitioners submits that allegation of pushing and assaulting attributed against the petitioners is general and omnibus in nature. The allegation of outraging the modesty of the informant which is attributed against petitioner no. 1, Sahendra Patel and co-accused Ravi Shankar Prasad is nothing but super addition just to make offence graver. He further submits that petitioner no. 2 was not present at the place of occurrence as petitioner no. 2 went to Delhi on 01/10/2024 for treatment of her mother and returned back on 16.10.2024 which is annexed as annexure-P/4 to the bail petition. He further submits that dispute arose only for the public road which is merely a civil dispute but criminal case has been lodged against the petitioners and others to settle score.

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

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs.



10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Dehri, Rohtas in connection with Dehri (Town) P.S. Case No. 663 of 2024 subject to the conditions as laid down under Section 482 of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

vashudha/-

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