

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 86914 of 2024

Arising Out of PS. Case No.-102 Year-2024 Thana- VISHAMBHARPUR District- Gopalganj

1.

Ashok Sahni S/O Kishna Sahni @ Krishna Sahni Resident of Village- Salehpur, P.S- Vishambharpur, Distt.- Gopalganj.
2.

Renu Devi W/O Munna Sahni Resident of Village- Salehpur, P.S- Vishambharpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 87362 of 2024

Arising Out of PS. Case No.-102 Year-2024 Thana- VISHAMBHARPUR District- Gopalganj

Munna Sahni S/O Kishna Sahni @ Krishna Sahni Resident of Villlage- Salehpur, P.S.- Vishambharpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 86914 of 2024)

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Adv.

For the State : Mr. Surendra Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 87362 of 2024)

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Adv.

For the State : Mr. Nawal Kishore, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2

20-01-2025

1.

Since both these applications arise out of Vishambharpur P.S. Case No. 102 of 2024, with the consent of the parties, these applications are heard together.

2.

Heard learned Counsel for the petitioners and learned APP for the State.

3.

This application, for grant of anticipatory bail, arises out of Vishambharpur P.S. Case No. 102 of 2024, disclosing offences under Sections 126(2)/115(2)/118(1)/109(1)/ 352 /3(5)



of Bharatiya Nyaya Sanhita and Section 27 of Arms Act.

4. As per the F.I.R, on 30.07.2024, while the informant was returning home, the accused persons, including the petitioners, surrounded her and they started demanding money from the informant which was given to her as loan. The informant replied that she would return the money to them in the morning, upon this, the petitioner Munna Sahni assaulted the informant on her head. Other accused persons including the petitioners Ashok Sahni and Renu Devi assaulted the informant and her daughter by bricks, lathi, sword and shot gun.

5. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case as a counter blast to the FIR lodged by petitioner Munna Sahni, bearing Vishambharpur P.S. Case No. 103 of 2024, in which petitioner Munna Sahni and his family members were assaulted. The occurrence took place on 29.07.2024; whereas, the present FIR has been lodged against the petitioners and others on 03.08.2024. Referring to the injury report of the informant at Annexure P/3, learned counsel submits that only swelling has been found in the parietal region and no serious injury appears to be there on the informant. Learned counsel submits that petitioner Munna Sahni including Ashok sahani and others have



sustained various injuries which should be evident from Annexure P/4.

6. Regards being had to the submission advanced on behalf of the parties and taking into consideration that fact that case and counter case is there and the dispute is due to money transaction between the parties, I am inclined to grant the petitioners privilege of anticipatory bail.

7. These applications are, accordingly, allowed.

8. Let petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Vishambharpur P.S. Case No. 102 of 2024, subject to the condition laid down under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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