

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30618 of 2013

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1. Sumangal Sahani S/O Munshi Sahani Resident Of Village- Paharpur, Police Station- Desari (Sahdai O.P.), District- Vaishali
 2. Ajay Sahani S/O Sumangal Sahani Resident Of Village- Paharpur, Police Station- Desari (Sahdai O.P.), District- Vaishali
 3. Kailash Sahani S/O Munshi Sahani Resident Of Village- Paharpur, Police Station- Desari (Sahdai O.P.), District- Vaishali

.... Petitioners

Versus

1. The State Of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manish Kumar, Advocate

For the Opposite Party : A.P.P.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

ORAL ORDER

4 24-12-2013 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners apprehend their arrest in relation to Desari (Sahdeoi O.P.) P.S. Case No. 275 of 2012, instituted under sections 341, 323, 307 and 379 of the Indian Penal Code and 3(I)(X) of the S.C./S.T. Act.

It is alleged that the petitioners had come to purchase a seat cover on a cycle and instead of Rs.40/- they paid only Rs.20/-, threatened and abused the informant and left.

Learned counsel for the petitioners submitted that this is only a counterblast to what had happened earlier in the day, wherein the informant had assaulted and grievously injured

petitioner no.1 and in order to protect him, the informant has lodged this case. On the petitioners' side, they had lodged a case being Desari P.S. Case No. 228/2012 dated 25.08.2012.

Be that as it may, considering the facts and circumstances aforesaid, in the event of arrest or surrender within four weeks from today in the court below, all the three petitioners, namely, (i) Sumangal Sahani, (ii) Ajay Sahani and (iii) Kailash Sahani are directed to be released on bail on executing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Desari (Sahdeo O.P.) P.S. Case No. 275 of 2012, subject to the conditions as embodied in section 438(2) of the Code of Criminal Procedure.

(Navaniti Prasad Singh, J)

MPS/-