

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34884 of 2015

Arising Out of PS.Case No. -130 Year- 2015 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Chanda Devi wife of Kumar Sahani
 2. Baliram Sahani Son of Bhola Sahani
 3. Kumar Sahani Son of Harihar Sahani
 4. Bhola Sahani Son of Harihar Sahani

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 03-09-2015 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case
registered for the offences punishable under Sections
341/323/379/307/504/34 of the Indian Penal Code.

It is alleged that on the order of petitioner no.3 Kumar
Sahani, petitioner no.4 Bhola Sahani assaulted the informant on
his head with 'khanti' when one Om Prakash Sahni and father of
the informant Inardeo Sahni came to rescue they were also
assaulted by the accused persons.

It is submitted by learned counsel for the petitioners
that there is counter version of the occurrence and the injury has

been found to be simple. Moreover, a statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that the specific accusation of assault on the head of the informant is by petitioner no.4, namely, Bhola Sahni, let the learned Court below consider the prayer for regular bail of the petitioner no.4, if he surrenders within a period of six weeks in connection with Raxaul P.S. Case No.130 of 2015, pending before the learned Chief Judicial Magistrate, East Champaran at Motihari.

So far as petitioner nos. 1 to 3 are concerned, since there is no specific accusation levelled against them, let them be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Raxaul P.S. Case No.130 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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