

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57240 of 2015

Arising Out of PS.Case No. -42 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Santosh Sahani Son of Paras Sahani
 2. Nagendra Sahani son of Paras Sahani
 3. Santosh Sahani son of Jodha Sahani
 4. Girija Sahani son of Ramchandra Sahani.
 5. Ramayan Sahani son of Ramchandra Sahani.
 6. Rajesh Sahani son of Jag Sahani.
 7. Bablu Sahani son of Rajesh Sahani.
 8. Ramayan Sahani@Arj Narayan Sahani@Rajnarayan Sahani son of Sonalal Sahani All are resident of Village- Bahuari, P.s (Lakhaura) Muffasil Motihari, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Sadanand Paswan (Spl. Pp)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2015 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 379, 448, 504, 506 of the Indian Penal Code, Section 3(1)(x) of the SC & ST (Prevention of Atrocities) Act and Section 27 of the Arms Act.

The prosecution case is that on 26.01.2015 at 7:00 P.M, twelve accused persons including the petitioners came to the betel shop of the informant and demanded betel but when the price was demanded then co-accused Chotelal Sahani and Prem Chandra Sahani(non-petitioner) abused the informant by calling caste name when other accused persons assaulted with leg and fists and slaps. It is also alleged that co-

accused Prem Chandra Sahani threw a piece of brick on the head of the informant and petitioner Nos. 5 and 8 and co-accused Jewan Sahani took away Rs. 5000/- from the shop of the informant.

It is submitted by learned counsel for the petitioners that specific accusation of abuse and assault is against co-accused Chotelal Sahani and Prem Chandra Sahani and for a petty dispute the accusation has been levelled. Moreover for the occurrence of 27.01.2015 the First Information Report was registered on 06.02.2015.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the genesis of the occurrence and the delayed lodging of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sadar at Motihari, East Champaran, in connection with Muffasil(Lakhaura) P.S. Case No. 42 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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