

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48118 of 2015

Arising Out of PS.Case No. -272 Year- 2014 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Jitendra Sahani Son of Mukhlal Sahani
 2. Sikandar Sahani @ Sikindar Sahni Son of Late Deonan Sahani
 3. Bholu Sahani Son of Nagina Sahani
 4. Raju Sahani Son of Jaipal Sahani
 5. Mukhlal Sahani Son of Late Khelawan Sahani
 6. Chotelal Sahani Son of Jailal Sahani
- All resident of Braham Tola, P.S.- Lakhaura, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Dhanmanti Devi wife of Janme Jay Sahni resident of Braham Tola, P.S.-
Lakhaura, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar, Advocate
For the Opposite Party/s : Mr. Upendra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-11-2015 Heard learned counsel for the petitioners and the
State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 307, 504, 379 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that the accused persons surrounded the informant and her husband, when petitioner no. 1 Jitendra Sahani assaulted with farsha on the head of the informant. Other accused persons made assault to the informant. It is further alleged that petitioner no. 1 Jitendra Sahani and Ramagya Sahani

resorted to fire, when petitioner no. 4 Raju Sahani snatched hasuli from the informant worth Rs. 10,000/-.

It is submitted by the learned counsel for the petitioners that except petitioner no. 1 Jitendra Sahani, the accusation is omnibus and general against the petitioners. For the occurrence of 20.08.2014 at 10.00 P.M. the First Information Report was registered on 21.08.2014 at 1.30 P.M. The lacerated wound has been found on the left parietal region of the informant along with diffused swelling on the left forearm and thigh, but injuries have been found to be simple in nature caused by hard and blunt substance, whereas Jitendra Sahani alleged to have been assaulted with farsha on the head of the informant.

Considering the fact that accusation against petitioner no. 1 Jitendra Sahani has not been corroborated by medical opinion, and so far as petitioner nos. 2 to 6 are concerned, accusation against them being omnibus and general, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds 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 Mufassil (Lakhaura) P.S. Case No. 272 of 2014,

subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



(Dinesh Kumar Singh, J)