

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 22189 of 2016

Arising out of P.S. Case No. - 185 Year - 2014 Thana - MOTIHARI MUFASIL District - EASTCHAMPARAN (MOTIHARI)

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1. Harendra Sahani, S/o Jagdish Sahani
 2. Dhruv Narain Choudhary, S/o Bharat Sahani
 3. Uma Lal Sahani, S/o Bharat Sahani
 4. Mishri Lal Sahani, S/o Bharat Sahani

All are residents of village - Agarwa, P.S. - Banjaria Mill, Distt - East Champaran

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pramod Kumar Pandey, Advocate
For the Opposite Party : Mr. A.K.Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

4 19-07-2016 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Muffasil Lakhaura P.S. Case No. 185 of 2014, disclosing offences under Sections 147, 148, 149, 341, 307, 120B of the Indian Penal Code and Section 27 of the Arms Act.

Petitioners are said to have assaulted the informant in retaliation of killing of brother of Chandrika Sahani, (a co-accused) by the informant.

Allegedly, the petitioner no. 1 and co-accused

Chandrika Sahani opened fire causing injuries on the informant.

Learned counsel appearing on behalf of the petitioners submitted that there is no specific allegation against other persons in the First Information Report. So far as allegation against the petitioner no. 1 is concerned, it has been submitted that implication is false and the injuries have been found to be simple in nature. It has also been submitted that the petitioners have no criminal antecedent.

Considering the facts and circumstances of the case, this application is allowed. Let the petitioners, above-named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Muffasil (Lakhaura) P.S. Case No. 185 of 2014, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Chakradhari Sharan Singh, J.)

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