

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27168 of 2016

Arising Out of PS.Case No. -185 Year- 2014 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

1. Ramu Sahani Son of Bijilal Sahani
2. Shambhu Sahani Son of Late Basdeo Sahani
3. Bhawan Sahani Son of Bhikhar Sahani

All residents of village - Ajagarwa, P.S. Banjariya, District - East
Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 05-07-2016

Heard learned counsels 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, 307, 120B of the Indian Penal Code
and 27 of the Arms Act.

The prosecution case is that on 09.07.2014
at 6.00 P.M. the informant Ramnaresh Sahni was coming home

from Lakhaura market on motorcycle along with his father Radheyshyam Sahni, in the meantime, the accused persons came and overtook the informant and thereafter on the order of Bijilal Sahni, co-accused Harendra Sahni and Chandrika Sahni fired at the informant causing injury on the chest and abdomen when the villagers came then the accused persons escaped from the scene. The motive for the occurrence was that Bijilal Sahni has suspicion that his brother was killed by the informant side.

It is submitted by learned counsel for the petitioner that there is specific overt act alleged against co-accused Bijilal Sahni, Harendra Sahni and Chandrika Sahni. There is no overt act alleged against the petitioners. They have simply been roped since they happen to be relative of Bijilal Sahni.

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

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of 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 Chief Judicial

Magistrate, East Champaran at Motihari in connection with
Motihari Muffasil P.S. Case No. 185 of 2014, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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