

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18070 of 2016

Arising Out of PS.Case No. -95 Year- 15 Thana -BASNAHI District- SAHARSA

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1. Manoj Yadav
 2. Sanoj Yadav, both sons of Bhramdeo Yadav
 3. Lakhan Sahani, son of Late Chhedi Sahani
 4. Rana Sahani, son of Lakhan Sahani
 5. Jai Prakash Yadav @ Indal Yadav @ Indal, son of Late Bhikan Yadav
All resident of Village Belaitha Purvi Tola, P.S. Basnahi, District
Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mr. Sangita Sharma(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-05-2016 Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners apprehend arrest in connection with

Basnahi P.S. Case No. 95/15 for offences alleged under Sections
147, 148, 149, 341, 323, 307, 324, 447, 435, 379, 384, 504/34 of
the Indian Penal Code.

The prosecution case, as lodged by the informant,

is that while the informant was sitting at his *Darwaja* petitioners
along with others variously armed with deadly weapon came and
by hurling abusive language directed him to pay *rangdari* of Rs.
60,000/- in lieu of constructing house and when it was objected by
the informant they assaulted him with fists and slaps. When son of

the informant came to rescue him, he was assaulted by Brahmdeo Yadav by *farsa* causing bleeding injury, when his wife came then petitioner No. 3 Lakhan Sahni assaulted her and Indal Yadav assaulted his daughter-in-law and snatched her ornament and while they were retreating set the bamboo built wall on fire.

It has been submitted by the learned counsel for the petitioners that they are innocent having committed no offence and being co-villagers have falsely been implicated in this case. It has further been submitted that these petitioners have clean antecedent, as is evident from paragraph 3 of this application and a counter-case has been filed by the wife of petitioner No. 3 and both sides are inimical to each other. He further submits that the injury caused on Raj Kishore Sahni has been attributable to another co-accused Brahmdeo Yadav, which has also been found to be simple in nature. He further submits that nothing specific has been attributed to these petitioners and the basis of dispute is a land dispute.

However, learned APP for the State submits that the petitioners are named in the First Information Report and opposes the prayer for bail.

Be that as it may, let petitioners, above named, in the event of their arrest or surrender before the court below within

a period of eight weeks from today, be released on bail 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, Saharsa, in connection with Basnahi P.S. Case No. 95/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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