

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1012 of 2016**

Arising Out of PS.Case No. -125 Year- 2015 Thana -PAKRIDAYAL District-  
EASTCHAMPARAN(MOTIHARI)

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1. Pahari Sahani Son of Late Darshan Sahani  
2. Naresh Sahani Son of Pahari Sahani  
3. Mahesh Sahani Son of Pahari Sahani  
4. Dinesh Sahani Son of Pahari Sahani All residents of Village - Chorma,  
P.S. - Pakridyal, District - East Champaran at Motihari.

.... .... Petitioners

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Binay Kumar, Adv.

For the Opposite Party/s : Md. Fahimuddin, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**

**SHARAN SINGH**

ORAL ORDER

4      03-03-2016                      Heard learned counsel, appearing on behalf of the  
  
petitioners, and the learned Addl. Public Prosecutor, appearing on  
  
behalf of the State.

This application for grant of anticipatory bail arises out of  
Pakridyal P.S. Case No. 125/2015, disclosing offences under  
sections 341, 323, 324, 307, 447, 379/34 of the Indian penal Code.

Learned counsel for the petitioners submits that the  
informant and the petitioners are next door neighbours. According  
to him, no offence under section 307 of the Indian Penal Code is  
made out and the allegations are ornamental in nature, just in order  
to add gravity to the allegations. It has further been submitted that  
the First Information Report has been instituted nearly three

months after the date of occurrence and there is no explanation at all for such delay.

Considering these submissions, this application is allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M.V, East Champaran at Motihari in Pakridyal P.S.Case No. 125/2015, arising out of G.R.Case No. 5173/2015, subject to the conditions as laid down under section 438(2) Cr.P.C.

This is subject to the condition that the petitioners shall present themselves before the police/ court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

Surendra/-

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