

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4545 of 2016

Arising Out of PS.Case No. -155 Year- 2015 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Surendra Sahani son of Janak Sahani
2. Nagendra Sahani Son of Bindeshwari Sahani
3. Anat Sahani Son of Munna Sahani
4. Harendra Sahani son of Baidhnath Sahani
5. Dinesh Sahani Son of Late Jandali Sahani
6. Ravindra Sahani @ Ravindra Kumar Son of Bindeshwari Sahani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-02-2016 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 147, 148, 149, 341, 323, 324, 435, 436, 504 and 506 of the Indian Penal Code.

Prosecution case is that the petitioners and others set the dwelling house of the informant on fire.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general and in the background of land dispute the accusation has been levelled. In fact, the house of the informant was never put on fire and Partition Suit

No.712/2013 is pending between the parties. Moreover, 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 provisional anticipatory bail for three months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, East Champaran at Motihari in connection with Madhuban P.S. Case No.155/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioners shall be confirmed by the learned court below on verification of the fact that the house of the informant was actually not put on fire. But, if it is found otherwise then the petitioners shall surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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