

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30061 of 2016

Arising Out of PS.Case No. -35 Year- 2016 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Ramnath Sahani.
2. Meghu Sahani.
Both are Sons of Singhasan Sahani, Resident of village - Raja Bhar, P.S.
Manjhaulia, District - West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 24-08-2016 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Majhaulia P.S. Case No.35 of 2016 registered under Sections
341, 323, 304, 307, 354, 379 and 504/34 of the Indian Penal Code.

The allegation of the informant is that three months
earlier, attempt was made to commit rape on her and on protest
being made by her, she was assaulted regarding which she had
lodged a case. The petitioners and two other co-accused asked her
to withdraw that case and when she refused to withdraw the case,
they gave threatening either to kill her or her son and set her house



on fire. On 15.02.2016 in the night at about 08.00 P.M., all the accused came to her door and started to set her house on fire. On 'hulla' being raised by her, the petitioner no.2 Meghu Sahani ordered the petitioner no.1 Ramnath Sahani to kill her, then petitioner no.1 Ramnath Sahani, gave Dabia blow on her head with an intention to kill her, as a result whereof, her forehead was cut and she fell down. Thereafter, the co-accused Raju Sahani opened her cloths and the co-accused Singhashan Sahani brutally assaulted her and she became unconscious. At that time, all the four accused persons snatched her silver chain.

Learned counsel appearing on behalf of the petitioners submits that the petitioners and the informant are Pattidars and due to land dispute, the informant has lodged this false case. Moreover, it would appear from the impugned order, whereby the prayer of the petitioners for anticipatory bail has been rejected, that during investigation, the case under Sections 379 and 354 of the Indian Penal Code is found untrue by the police whereas only one injury over parietal region of the informant was found simple in nature caused by hard and blunt substance.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be

enlarged on bail on their furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) each with two sureties of the like amount
each to the satisfaction of the Chief Judicial Magistrate, West
Champaran at Bettiah, in connection with Majhulia P.S. Case
No.35 of 2016, subject to the conditions laid down under Section
438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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