

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36426 of 2016**

Arising Out of PS.Case No. -153 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

- =====
1. Ram Ekbal Sahani @ Ekbal Sahani
  2. Anil Sahani
  3. Lal Babu Sahani all sons of Late Parikshan Sahani
  4. Uday Sahani S/o Ram Ekbal Sahani
- All resident of Village- Chandawara Ghat, Damodarpur, P.S.- Ahiyapur,  
District- Muzaffarpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Diwakar Prasad Karn  
For the Opposite Party/s . Smt Sangeeta Sharma

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

04/ 06.12.2016 Heard learned counsel for the petitioners as well as  
learned Addl. Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with  
a case registered under section 307 and other minor sections of  
the Indian Penal Code.

Petitioner nos.3 and 4 are said to have assaulted the  
informant by means of iron rod causing injury on the forehead  
of the informant. Petitioner nos.1 and 2 are said to have  
assaulted the mother of the informant causing fracture on her  
hand.

Learned counsel for the petitioners submits that, as a  
matter of fact, it was the prosecution party who assaulted the  
family members of the petitioners for which petitioner no.2



lodged Ahiyapur P.S. Case no. 151/2016 and the present case was lodged in retaliation to that case. The case diary goes to show that in course of investigation, Investigating officer could collect injury report of Ajay Sahani and the aforesaid injury report goes to show that two injuries i.e. bruise and abrasion were found on the injured Ajay Sahani. The opinion regarding the aforesaid injury was kept reserved but even after expiry of long period, final opinion regarding the aforesaid injury was not given as x-ray report was not produced. So far as injury report of the mother of the informant is concerned, nothing has been mentioned in the case diary.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail application is allowed and it is ordered that, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur in Ahiyapur P.S. Case no. 153/2016 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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