

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39409 of 2017

Arising Out of PS.Case No. -37 Year- 2017 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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Motilal Sahani, s/o Nageshwar Sahani, r/o vill-Khatolwa Gawandari, PS-
Keshwariya, Dist- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-08-2017

Heard learned counsel for the petitioner.

The petitioner seeks regular bail in connection with
Keshariya PS case no. 37 of 2017 registered for the offences
punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307,
447 of Indian Penal Code.

The case of the prosecution is that accused persons
had brought tractor and started ploughing the field of the
informant whereafter, upon protest, the accused persons engaged
in assault resulting in serious injuries to the informant and his
family members.

The learned counsel for the petitioner submits that
as far as the petitioner is concerned, there is no allegation of any
assault resulting in any injury to any person. It is further submitted
that the present case i.e. Keshariya PS case no. 37 of 2017 and



Keshariya PS case no. 38 of 2017 dated 03.03.2017, which has been instituted at the behest of one of the accused namely Sitaram Sahni are case and counter case. It is submitted that both the FIRs arise out of the same incident and both the parties have received injuries. The petitioner is said to have clean antecedent and is in custody since 26.06.2017.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to enlarge the petitioner on regular bail. Accordingly, the petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 20,000/- (Rs. Twenty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari in connection with Keshariya PS case no. 37 of 2017.

(Mohit Kumar Shah, J.)

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