

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20974 of 2017

Arising Out of PS.Case No. -261 Year- 2013 Thana -BAHERA District- DARBHANGA

- =====
1. Binde Sahani, son of late Ram Sahani,
 2. Singheshwar Sahani, son of late Ram Sahani, both resident of village Jagdishpur, P.S. Manigachhi, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni, Advocate

For the Opposite Party/s : Smt. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 20-09-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in Bahera P.S.

Case No.261 of 2013 instituted for the offence under Section(s)

147, 148, 149, 341, 323, 324, 307, 302, 504 Indian Penal Code.

As per written report, specific allegation is against Duni Lal Sahani of causing stab injury on the chest of Gulab Sahani after snatching the dagger from Ganesh Sahani. After sustaining the injury, Gulab Sahani became unconscious and subsequently died.

Petitioner's name appears as member of unlawful assembly. Besides this, there is no allegation of any specific overt act against the petitioners.

In the facts and circumstances of the case, prayer of



the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Bahera P.S. Case No.261 of 2013, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Darbhanga, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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