

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2568 of 2017

Arising Out of PS.Case No. -124 Year- 2015 Thana -KHANPUR District- SAMASTIPUR

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1. Bhagya Narain Sahni @ Bhag Narain Sahni, Son of Bisheshwar Sahni,
2. Dilwar Sahni @ Dilwar Kumar,
3. Rati Raman @ Rati Raman Kumar,
4. Gulshan Kumar All No.2 to 4 Sons of Bhagya Narain Sahni @ Bhag Narain Sahni.
5. Guddu Kumar,
6. Raushan Kumar, Both No.5 and 6 Sons of Dinesh Sahni, All are R/o Village- Rothiya Chaki, P.S.- Khanpur, District- Samastipur.

.... Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Rajesh Kumar

For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-10-2017 Heard learned counsel for the appellants.

This appeal has been filed for grant of pre-arrest bail in connection with Khanpur P.S. Case No. 124 of 2015 registered for the offences punishable under Sections 341, 448, 323, 379, 504, 34 of the Indian Penal Code and 3(i) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 20.4.2016 passed by Additional Sessions Judge-I, Samastipur.

Allegation against the appellants is of abusing the informant and threatening her for withdrawal of case.

Submission of learned counsel for the appellants is that



though there is allegation of abuse but they have not taken caste name of the informant and so far other allegations are concerned, they are general and omnibus and there is land dispute between the parties from before.

Heard learned Special P.P., who could not controvert the above submission.

Having heard both sides and in view of the facts and circumstances, as stated above, this appeal is allowed and the impugned order is set aside.

Let the appellants, above named, surrender within a period of six weeks and on their so surrendering they shall be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge, Samastipur, in connection with Khanpur P.S. Case No. 124 of 2015, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties in the jurisdiction of court concerned,
- (2) Appellants shall co-operate in investigation of the case and appear before the Investigating Officer as and when required,



failing which their bail bonds shall be liable
to be cancelled,

(3) Appellants shall not induce any witness or
tamper with the evidence.

(Vinod Kumar Sinha, J)

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