

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54788 of 2017

Arising Out of PS.Case No. -179 Year- 2017 Thana -SONBERSA District- SITAMARHI

- =====
1. Shanker Sahni, son of Fakira Shani, resident of Village- Lohakher, P.S. Sonbarsa, District Sitamarhi.
 2. Bajrangi Sahni, son of Hajari Sahni, resident of Village- Lohakher, P.S. Sonbarsa, District Sitamarhi.
 3. Laxman Sahni, son of Bachan Sahni, resident of Village- Lohakher, P.S. Sonbarsa, District Sitamarhi.
 4. Shatya Narayan Sahni, son of Late Sukeswar Sahni, resident of Dalkhwa, P.S Sonbarsa, District Sitamarhi.
 5. Kapil Sahni @ Kapal Sahni, son of Nathan Sahni, resident of Dalkhwa, P.S Sonbarsa, District Sitamarhi.
 6. Bindeshwar Mukhiya, son of Dhaneshwar Mukhya, resident of Village- Hanuman Nagar, P.S. Sonbarsa, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur
For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 22-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Sonbersa P.S. Case No. 179 of 2017** instituted for the offence under Sections 147, 148, 149, 341, 323, 337, 338, 332, 333, 307, 353 of the Indian Penal Code, Sections 4/5 Damage to Public Property Act and Section 37(A)(C) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner has submitted that



petitioner No. 4 has already been arrested and, therefore, his prayer for anticipatory bail was dismissed as withdrawn by this Court vide order dated 16.11.2017.

From the written report it appears that Chowkidar has taken the name of these petitioners. There is general and omnibus allegation that after declaration of result of the election, these petitioners along with 100-150 unknown persons started brick-batting and caused disturbance. They also started throwing stone-bricks etc. on police party.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner Nos. 1, 2, 3, 5 and 6 namely, Shanker Sahni, Bajrangi Sahni, Laxman Sahni, Kapil Sahni @ Kapal Sahni and Bindeshwar Mukhiya is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Sonbarsa P.S. Case No. 179 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **ADJ-II cum Special Judge, Excise, Sitamarhi**, 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)

S.Ali/-

U		T	
---	--	---	--

