

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21977 of 2017

Arising Out of PS.Case No. -32 Year- 2016 Thana -DARPA District-
EASTCHAMPARAN(MOTIHARI)

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Anil Sahani, Son of Tileshwar Sahani, Resident of Village- Bagahi, P.S.
Darpa, District East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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With

Criminal Miscellaneous No.23819 of 2017

Arising Out of PS.Case No. -32 Year- 2016 Thana -DARPA District-
EASTCHAMPARAN(MOTIHARI)

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Ravi Shanker Sahani @ Ravi Shankar Sahani @ Bhola Sahani Son of
Harendra Sahani, Resident of Village- Bagahi, P.S.- Darpa, District- East
Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :
(In Cr.Misc. No.21977 of 2017)
For the Petitioner/s : Mr. Anuj Kumar, Adv.
For the Opposite Party/s : Mr. Smt. Pronati Singh, A.P.P.
(In Cr.Misc. No.23819 of 2017)
For the Petitioner/s : Mr. Anuj Kumar, Adv.
For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 02-08-2017 Both bail petitions pertain to the same F.I.R. and

earlier the prayer for bail of both petitioners were rejected by

common order and, as such, both bail petitions were taken up

together and are being disposed of by this common order.

Heard Sri Y.C.Verma, learned Senior Counsel,



assisted by Sri Anuj Kumar, learned counsel for petitioners in both bail petitions and learned Addl. Public Prosecutors.

Petitioners are in custody since 27th July, 2016 in Darpa P.S. Case No.32 of 2016 registered for the offence under Sections 147, 148, 149, 323, 324, 307, 386, 504, 506 of the Indian Penal Code and 27 of the Arms Act.

It was pleaded that there was case and counter case in between the parties. However, since, earlier the prayer for bail of both petitioners was rejected, by order dated 28.06.2017 in Cr.Misc.No.21977 of 2017, a report from the court below was called for regarding stage of the case, which has been received and kept at Flag-G. The report suggests that out of four accused persons, only two petitioners are in custody and the case is pending for appearance of other accused.

Considering the fact that there was case and counter case in between the parties as well as the fact that the case is still at the appearance stage and the petitioners are in custody since 27.07.2016 there is no reason to further detain the petitioners. Accordingly, let both petitioners, namely, (i) Anil Sahani(in Cr.Misc.No.21977 of 2017) and (ii) Ravi Shanker Sahani @ Ravi Shankar Sahani @ Bholu Sahani (in Cr.Misc.No.23819 of 2017) be released on 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 S.D.J.M., Raxaul in connection with Darpa P.S. Case No.32 of 2016.

(Rakesh Kumar, J)

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