

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12215 of 2017

Arising Out of PS.Case No. -265 Year- 2016 Thana -SUGAULI District- EAST CHAMPARAN
(MOTIHARI)

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1. Girja Sahani, Son of Janak Sahani
2. Singeshwar Sahani, Son of Ram Shrya Sahani
3. Ajay Sahani, Son of Phuldeo Sahni
All are Resident of Village-Belbatiya, P.S.-Sugouli, Dist-East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon, Advocate.
For the State : None.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-03-2017

Heard learned counsel for the petitioners.

Learned counsel for the State is not present.

The petitioners apprehend their arrest in Sugauli P.S.
Case No. 265 of 2016 (G.R. Case No. 6058 of 2016) instituted for
the offence under Sections 147, 148, 323, 324, 307, 504, 506 and
341 of the Indian Penal Code.

It has been submitted that the petitioners have no
criminal antecedent. There is no specific allegation against any of
the petitioners. This case is counter blast of Sugouli P.S. Case No.
264 of 2016. The instant case has been filed after delay of seven
days from the alleged date of occurrence as mentioned in the
written report.

In the written report it is alleged that the
petitioners assaulted the informant and his younger brothers



Harendra Sahani and Birendra Sahni with Farsa on the head. The injury reports of both have been annexed as Annexure-2. The injury of Birendra Sahni was found to be simple in nature whereas injury No. 1 of Harendra Sahani was opined to be grievous. The injury No. 1 was lacerated wound on lateral part of scalp of size 3” x 1/4” and old scar on forearm caused by hard and blunt substance. There is no mention of any length and depth of the injury in the injury report. There is case and counter case between the parties. The petitioners have clean antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Sugouli P.S. Case No. 265 of 2016 (G.R. Case No. 6058 of 2016), 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 Chief Judicial Magistrate, Motihari, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

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