

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30923 of 2017

Arising Out of PS.Case No. -402 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Bihari Sahni S/o Suresh Sahni R/o Jaisinghpur Bhaisura Ghat, P.S. - Turkolia, District - Motihari, East Champaran, permanent R/o Village - Kohbarba, P.S. - Govindpur, District - East Champaran.
 2. Chattu Sahni S/o Late Hari Sahni R/o Village - Singha, P.S. - Harsidhi, District - Motihari, East Champaran.
 3. Sandeep Sahni S/o Suresh Sahni R/o Village - Kohbarba, P.S. - Govindpur, District - Motihari, East Champaran at present residing in Village, Bhonda, P.S. - Turkolia, District - Motihari, East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 19-08-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Turkaulia P.S. Case No. 402 of 2016 for the offences punishable under sections 341, 380, 323, 324, 354 (B), 307, 447, 448, 504 and 509/34 of the I.P.C.

Allegedly, the petitioners and other FIR named accused persons after entering into the house of the informant took away her box containing cash of Rs. 1,00,000/- and the ornaments and further they assaulted the informant brutally causing injury to



her. Against the petitioner Bihari Sahni there is allegation for pressing mouth and against the petitioner Chattu Sahni there is allegation for assaulting with garasi and against the petitioner Sandeep Sahni there is allegation for catching her hair and dragged her.

Submission is of false implication and that during investigation supplementary injury report of Sunila Devi has been mentioned in paragraph-19 of the case diary, wherein nature of injury is simple, the occurrence is of 26.08.2016 but the FIR has been registered on 02.09.2016 after much delay and the allegation of theft has not been supported during investigation and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners by submitting that the witnesses during investigation have supported the allegation regarding assault.

In the facts and circumstances as stated above, considering that the witnesses during investigation have not supported the allegation of theft and the injury received by the informant is simple in nature and as such the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with



two sureties of the like amount each to the satisfaction of. C.J.M.
Motihari, East Champaran in connection with above mentioned
case, subject to the conditions as laid down in section 438 (2) of
the Cr.P.C.

(Jitendra Mohan Sharma, J)

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