

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18110 of 2017

Arising Out of PS.Case No. -264 Year- 2016 Thana -SUGAULI District- EASTCHAMPARAN
(MOTIHARI)

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1. Kailash Sahani, Son of late Devilal Sahani,
2. Mukesh Sahani, son of Kailash Sahani.
3. Harendra Sahani, Son of Laxmi Sahani.
4. Birendra Sahani, Son of Laxmi Sahani, All resident of Village-
Belwatiya, P.S.- Sugauli, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 07-07-2017 Heard both sides.

The petitioners apprehend their arrest in Sugauli P.S.
case No. 264 of 2016 under Section 307 and other Sections of the
Indian Penal Code.

On the order of Kailash Sahni, Mukesh Sahni is
alleged to have assaulted Yadolal Sahni with Farsa. Harendra
Sahni and Birendra Sahni, petitioners No.3 and 4, are alleged to
have assaulted Indrajeet Sahni with Lathi and iron rod.

The learned counsel for the petitioners submits that
there is a case and counter case. Sugauli P.S. case No. 265 of 2016
is registered on the basis of fard bayan of Kailash Sahni, petitioner



No.1. The accused persons of Sugauli P.S. case No. 265 of 2016 have already been granted anticipatory bail.

On perusal of the records, it appears that Kailash Sahni, petitioner No.1, is order giver and Harendra Sahni and Birendra Sahni, petitioners No. 3 and 4, are alleged to have assaulted Indrajeet Sahni. Indrajeet Sahni got one injury which is simple in nature.

Considering the facts aforesaid and the nature of allegations made against the petitioners, the petitioners No.1, Kailash Sahani, 3.Harendra Sahani and 4. Birendra Sahani, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in Sugauli P.S. Case No. 264 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as petitioner No.2, Mukesh Sahani is concerned, he is alleged to have assaulted Yadolal Sahni with Farsa on his head, which was warded of by him by hand, and Yadolal Sahni got grievous injury on his hand, I am not inclined to



enlarge petitioner No.2, Mukesh Sahani, on anticipatory bail.

Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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