

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49672 of 2017

Arising Out of PS.Case No. -37 Year- 2017 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Rambabu Sahani son of Nagina Sahani.
 2. Shyam Babu Sahani son of Nagina Sahani.
 3. Pramod Sahani son of Sitaram Sahani.
 4. Rakatu Sahani son of Sukdev Sahani.

All of resident of Khatolwa Gawandari, P.S. Kesariya, District East
Champaran at Motihari.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP
For the informant : Mr. Kundan Rathore, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 09-11-2017 Heard learned counsel for the petitioners, learned

Additional Public Prosecutor for the State and learned counsel

for the informant.

The petitioners seek pre-arrest bail in connection with

Kesariya P. S. Case No. 37 of 2017 registered under Sections

147, 148, 149, 341, 323, 324, 325, 307, 447 of the Indian Penal

Code.

Considering the submissions made by the learned

counsel for the petitioners that there is case and counter case



between the parties, as also the fact that there is no specific allegation against Shyam Babu Sahani and the injuries alleged to have been caused by Rambabu Sahani and Rakatu Sahani were found simple in nature, the petitioner nos. 1, 2 and 4 namely, Rambabu Sahani, Shyam Babu Sahani and Rakatu Sahani respectively are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Motihari in Kesariya P. S. Case No. 37 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

So far as the petitioner no. 3 Pramod Sahani is concerned, he is alleged to have assaulted with *farsa* to Lalita Devi and Gharbharan Devi and injury on the person of Gharbharan Devi was found to be grievous, I am not inclined to grant him pre-arrest bail. Accordingly, his application for grant of pre-arrest bail is rejected.

(Ashwani Kumar Singh, J.)

Kanchan/-

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

