

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12317 of 2017

Arising Out of PS.Case No. -77 Year- 2016 Thana -SHYAMPUR BHATHA District- SHEOHAR
=====

1. Amir Sahani @ Amira Sahani, Son of Late Banshi Sahani.
2. Rameshwar Sahani @ Raimswer Sahani, Son of Amira Sahani.
3. Nandan Sahani @ Amir Sahani, Son of Amira Sahani, All resident of Village- Gosainpur, P.S. Shyampur Bhatha, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap
=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 23-03-2017 Heard learned counsel for the petitioners as well as learned counsel representing the State.

The petitioners apprehend their arrest in connection with Shyampur Bhatha P.S. Case No. 77/2016, registered for the offences punishable under Sections 323, 341, 447, 504, 506, 307 and 34 of the Indian Penal Code.

Allegedly, the petitioners and other co-accused asked the informant as to why she had flowed water on the road to which the informant denied. Then, co-accused Lakhindra Sahni started abusing and on protest he assaulted the informant with Dao causing head injury and then Rameshwar Sahni pointed out gun. The petitioner Nandan Sahni snatched gold chain and Amir Sahni started assaulting



with lathi. Bhinna Sahani pointed out sword, then the informant fled away any how.

Submission is of false implication and that specific allegation is made against Lakhindra Sahni for assault with Dao on the head of the informant. Against the petitioners there is ornamental allegation only to make the case serious. No firing was made and the allegation under Section 307 is super-addition and as such, the petitioners also deserve sympathetic consideration.

Learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, the petitioners, above named, 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 execution of bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Sheohar in connection with Shyampur P.S. Case No. 77/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

Rakhi/-

U			
---	--	--	--

