

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47517 of 2017

Arising Out of PS.Case No. -151 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

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1. Sanjay Sahani,
2. Vijay Sahani
3. Manjay Sahani
4. Rajan Sahani All Sons of Gajendra Sahani,
5. Gajendra Sahani Son of Late Jhigan Sahani All R/o Village-
Damodarpur, P.S.- Ahiyapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Sri Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-10-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Ahiapur P.S. Case No. 151 of 2016 instituted for the offence under Sections-307, 379 & other minor Sections of the Indian Penal Code.

It has been submitted that there is case and counter case between the parties. For the same date of occurrence, co-accused, Ajay Kumar has filed a case vide Ahiapur P.S. Case No. 153 of 2017 against the informant and others. In that case, Ajay Sahni sustained injury by iron rod.

In the instant case, there is general and omnibus allegation against the petitioner Nos. 1, 3, 4 & 5. The allegation against petitioner No. 2 is of assaulting the elder brother of the informant with iron rod



and lathi but all the injuries have been found by the doctor to be simple in nature.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Ahiapur P.S. Case No. 151 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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