

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59048 of 2017

Arising Out of PS.Case No. -3 Year- 2016 Thana -KALYANPUR District- SAMASTIPUR

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1. Mahesh Sahni,
2. Ashok Sahni Both Sons of Rameshwar Sahni,
3. Chandan Sahni Son of Ashok Sahni,
4. Ganesh Sahni S/o Lal Chandra Sahni,
5. Dinesh Sahni @ Dinesh Kumar Sahni S/o Ram Prasad Sahni.
6. Raja Sahni @ Nitish Kumar S/o Ashok Sahni,
7. Naresh Sahni S/o Ganesh Sahni. All R/o Jagdishpur, P.S.- Kalyanpur,
District- Samstipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Kalyanpur P.S. Case No. 3 of 2016 instituted for the offence under Sections-308, 379 & other minor Sections of the Indian Penal Code.

There is land dispute between the parties. There is case and counter case. Petitioner No. 1 has lodged Kalyanpur P.S. Case No. 02 of 2016 against the informant and others.

In the instant case, there is allegation that all the accused persons assaulted the informant and their family members. Learned Sessions Judge has mentioned in the impugned order that the injuries are 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 Kalyanpur P.S. Case No. 3 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Samastipur 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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