

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69159 of 2018

Arising Out of PS. Case No.-72 Year-2018 Thana- KHAGARIA District- Khagaria

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1. Krishna Sahni @ Krishna Kumar son of Ramlakhan Sahni.
 2. Shambhu Sahni son of Ramlakhan Sahni. Both resident of Village- Vidha Dhar, P.S.+ District- Khagaria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Praveen Kumar Agrawal, Advocate.
For the Opposite Party : Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-11-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 341, 323, 504, 447 and 307/34 of the IPC.

The prosecution story, in brief, is that on 12.02.2018 at 9.30 P.M., five accused persons including the petitioners came, abused and pelted stones on the house of the informant. On 13.02.2018 at 7.00 A.M., when his father was informing the neighbours about the incident, in the meantime, all the seven accused persons including the petitioners armed variously came, petitioner no. 1 Krishna Sahni assaulted the informant with rod, co-accused Renu Devi assaulted the sister of the informant,



namely, Arti Kumari with rod, petitioner no. 2 Shambhu Sahni, co-accused Amit Yadav and Ram Lakhan Sahni assaulted the father of the informant with rod. The informant, his sister and father have received injuries.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. The petitioners have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. It is case and counter case between the parties. Free fight is alleged to have taken place between the parties due to land dispute. Injury on the side of accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Khagaria, in connection with Khagaria P.S. Case No. 72 of



2018, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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