

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20751 of 2018

Arising Out of PS.Case No. -172 Year- 2017 Thana -AURAI District- MUZAFFARPUR

- =====
1. Laxman Sahni, S/o Dashrath Sahni,
 2. Siyaram Sahni S/o Dashrath Sahni, Both R/o Village- Bistha, P.S.-
Aurai, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad

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

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 20-04-2018

Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 307, 323, 324, 341, 504 and 506 of the Indian Penal Code.

The prosecution case as per the fardbeyan of Rakesh Sahani recorded by S.I. Rajendra Kumar, Ahiyapur P.S. at SKMCH, Muzaffarpur on 28.10.2017 at 5.30 P.M., to the effect that on 28.10.2017 at 11.30 A.M. the informant was going to his house to take lunch and on his way, the accused persons stopped the vehicle of the informant and thereafter, nine accused



persons came variously came, started abusing the informant by alleging that the son of the informant namely, Monu and Ram Pratap Sahani have stolen the motorcycle of the accused persons and hence, demanded back the stolen motorcycle or Rs.One lakh against the stolen motorcycle, otherwise threatened to kill the informant side. When the son of the informant made protest then the informant and his son were assaulted.

It is submitted by learned counsel for the petitioners that in the background of petty dispute, the accusation has been levelled. There is also a counter case being Aurai P.S. Case No. 171 of 2017. Earlier co-accused, Mukesh Sahani and daughter of the informant solemnized marriage against the wishes of the informant for which Town P.S. Case No. 811 of 2016 was registered. The injury has been found to be simple in nature. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP, however, submits that there is specific accusation against the petitioners.

Considering the accusation being not corroborated with the medical opinion and a statement being made in paragraph 3 of the petition that the petitioners are not having



any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Judge 14th cum A.C.J.M. 13th, Muzaffarpur in connection with Aurai P.S. Case No. 172 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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