

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25403 of 2018

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

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1. Santosh Kumar @ Santosh Sahni, S/o Baidhnath Sahni,
 2. Vijay Sahni S/o Bharan Sahni, Both Resident of Vill.- Bistha ,
P.S.- Aurai, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Opposite Party/s : Mr. Md. Ansarul Haque

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 03-05-2018 Heard the learned counsel for the petitioners
and the State.

The petitioners seek bail in anticipation of their arrest in connection with Aurai P.S. Case No. 172 of 2017 dated 29.10.2017 instituted for the offences under Sections 147, 148, 341, 323, 324, 307, 504, 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., is 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. Thereafter, nine accused persons came variously armed and 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 demanded back the stolen motorcycle or Rs. One lakh against the stolen motorcycle. When the son of the informant protested, then the informant and his son were assaulted.

It is submitted by learned counsel for the petitioners that in the aforesaid 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.

The petitioners above named are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this



order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Aurai P.S. Case No. 172 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

Krishna/-
Ved/-

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