

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35785 of 2018

Arising Out of PS.Case No. -137 Year- 2017 Thana -BUDDHACOLONY District- PATNA

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1. Shankar Sahni, son of Late Nagina Sahani
2. Shushil Devi, wife of Shankar Sahni
Both resident of Mohalla- China Kothi, P.S.- Budha Colony,
District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rudra Dev, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Roy, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 02-07-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Budha Colony P.S. Case No.137 of 2017 registered under Sections
341, 323, 384 and 354B read with 34 of the Indian Penal Code and
Section 27 of the Arms Act.

It is submitted by the learned counsel for the petitioners
that initially a complaint was filed which was referred to the police
under Section 156(3) of the Code of Criminal Procedure pursuant
to which first information report has been registered. The
complainant alleged that the act of omission and commission
started on 15.02.2017 but the complaint has been filed belatedly



on 27.02.2017. There was motive for institution of false complaint as it has been admitted by the complainant that the dispute relating to land is pending between the parties. It is submitted that the proceeding under Section 144 of the Code of Criminal Procedure is also pending before the Sub Divisional Judicial Magistrate.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioners.

Considering the facts and circumstances of the case and the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released on bail 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-XVI, Patna in connection with Budha Colony P.S. Case No.137 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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