

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68200 of 2018

Arising Out of PS. Case No.-255 Year-2018 Thana- MAJHAULIA District- West Champaran

1. Darshan Sahani, Son of Yogendra Sahani.
2. Yogendra Sahani, Son of Late Janki Sahani.
3. Nandlal Sahani, Son of Bikau Sahani.
4. Shobhilal Sahani, Son of Bikau Sahani, All are Resident of Village- Jaukatiya Malahi Tola, P.S. Majhauria, District- West Champaran, Bettiah.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ashok Kumar Gupta, Advocate.
For the Opposite Party : Mr. Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 147, 148, 149, 341,
323, 324, 307, 354 (c) 504 and 506 of the IPC.

The prosecution story, in brief, is that on 14.06.2018
at about 6.00 P.M. the informant alongwith his relative were
engaged in repairing his hut, in the meantime, all the accused
petitioners came there variously armed with deadly weapon and
started breaking the *Tanti* of hut. On objection, co-accused
Awadhilal Sahani gave threatening to kill him. On the order of
petitioner no. 2 Yogendra Sahani, petitioner no. 4 Shobhi Lal



Sahani gave *Iron rod* blow on the head of Geeta Sahani. When the informant came there to rescue then co-accused Awadhilal Sahani gave a *Farsa blow* on his head and again gave a *Farsa blow*. When the informant's Bhabi Lalmuni Devi came there to rescue then on the order of co-accused Satalu Sahani, co-accused Ranjit Sahani caught her hold and pulled down on the earth and with bad intention torn her clothes then she became half naked and co-accused Ramashish Mahto gave a *Pahasul* blow on the neck of Lalmuni Devi. On hearing hulla, villagers came there and saved them.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is case and counter case between the parties. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out. There is admitted land dispute between the parties.

On behalf of the State, it is 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. West Champaran, Bettiah, in connection with Majhauria P.S. Case No. 255 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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