

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19602 of 2018

Arising Out of PS.Case No. -27 Year- 2017 Thana -PHENHARA District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Kameshwar Sahani, S/o late Mangal Sahani @ Mangar Sahani,
2. Manju Devi D/o Bindeshwari Sahani,
3. Lalbadshah @ Lalbasah @ Ankit Sahani @ Ankit Kumar ,
4. Munna Kumar @ Munna Sahani,
5. Lallan Kumar @ Lalan Sahani All are Sons of Bindeshwari Sahani , All
are R/o Village- Matharawa, P.S.- Phenhara, Distt.- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Sri Surendra Kumar

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-05-2018 The petitioners are apprehending their arrest in connection with Phenhara P.S. Case No. 27 of 2017, registered for offences punishable under Sections 147, 149, 341, 342, 323, 307, 337, 353, 504 and 506 of the Indian Penal Code.

Prosecution case that when the officer in charge (informant) along with other police personeel went to record the statement of witnesses in connection with Phenhara P.S. Case No. 26 of 2017, then the petitioners came and abused the them and also obstructed in recording statement and also assaulted by throwing brick bats and specific allegation against petitioner no. 2 that she assaulted the officer in charge causing injury to him.



It has been submitted on behalf of the petitioners that they have falsely been implicated in this case and though there is allegation of assault, however, injuries were found to be simple in nature and only general and omnibus allegation has been levelled.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that so far petitioner nos. 1, 3, 4 and 5 are concerned no specific allegation has been levelled against them and so far petitioner no. 2 though there is specific allegation against her that she assaulted with bamboo to Officer-in-Charge, however, she is a lady, as such, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – 12, Motihari, East Champaran, in connection with Phenara P.S. Case No. 27 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable



property within the jurisdiction of the concerned Court.

- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

sunil/-

U		T	
---	--	---	--

