

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62226 of 2018

Arising Out of PS.Case No. -140 Year- 2015 Thana -PATAHI District- EASTCHAMPARAN
(MOTIHARI)

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1. Sanjay Mandal, Son of Umesh Mandal.
 2. Rajesh Sahni, Son of Dukhan Sahni.
 3. Supan Sahni @ Sukhan Sahni, Son of Nanku Sahni.
 4. Dukhan Sahni, Son of Nanhku Sahni.
 5. Tripurari Kumar @ Tripurari Sahni, Son of Asharfi Sahni.
 6. Ramsihasan Raut, Son of Narayan Raut.
 7. Manoj Raut, S/O Narayan Raut. All are R/V- Jihuli, P.S. Patahi,
District-East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ansul, Advocate.

For the Opposite Party : Mr. Dr. Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-10-2018 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 307, 323, 325, 147, 149
and 504 of the IPC.

The prosecution story, in brief, is that all F.I.R.
named accused persons used to gather at the Mill of Nanhak Sahni
at the time of toilet of women and girls of the Mohalla since 15
days and used to misbehave them. When the women and girls
raised the point before their guardians then on 03.09.2015 some
guardians asked the accused persons why they were doing so then



all on a sudden all criminals attacked with *Lathi* and *Fatha* upon them. Hand of Sanjay Raut became fractured due to *Lathi* blow of petitioner-accused Ram Sihasan Raut. Head of Bhujangi Raut became fractured due to *Lathi* blow of petitioner Manoj Raut. Head of Ramu Raut became fractured due to *Lathi* blow of petitioner Dukhan Sahni. At the same time, Nanhak Sahni also reached and there abusing the informant. Due to intervention of the villagers the life people of prosecution side could be saved.

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. The police has submitted charge sheet under bailable offence but the learned court below has differed with the said police report and took cognizance under Section 307 and other allied Sections of the IPC.

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 A.C.J.M.-VIIIth, East Champaran, Motihari, in connection with Trial No. 543 of 2018, arising out of Patahi P.S. Case No. 140 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

