

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11599 of 2019

Arising Out of PS. Case No.-72 Year-2018 Thana- MADHUBAN District- East Champaran

1. Brajesh Kumar @ Brajesh Sahani, aged about 22 years, Male, Son of Vishwanath Sahani Resident of Village - Narha, P.S.- Rajepur, District - East Champaran
2. Aamodh Sahani, aged about 18 years, Male, Son of Jokhu Sahani Resident of Village - Narha, P.S.- Rajepur, District - East Champaran
3. Kishori Sahani, aged about 45 years, Male, Son of Ram Swaroop Sahani Resident of Village - Narha, P.S.- Rajepur, District - East Champaran
4. Aashdeo Sahani, aged about 25 years, Male, Son of Jagindar Sahani Resident of Village - Narha, P.S.- Rajepur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 01-03-2019 Heard both sides.

Petitioners apprehend their arrest in Madhuban P.S.

Case No.72 of 2018, registered under Sections 341, 323, 307,
379, 504 and 506/34 of the Indian Penal Code.

The informant alleged that on 05.05.2018 at about 9
in the night, cry was coming from the house of Nathuni Sahani.
The informant and her husband came out and saw that about 10
persons were assaulting Lal Babu Sahani. Her husband Ram
Ekbal Sahani inquired about the reason. On such the accused
persons began to assault the husband of the informant but her



husband somehow saved himself and came to his house. On such the accused persons entered into the house assaulted the informant and took away different articles.

Learned counsel for the petitioners submits that the occurrence took place on 05.05.2018 but the case was lodged on 19.05.2018. There is delay of 14 days. In fact petitioner no.1, Brajesh Sahani is own brother-in-law of Lal Babu Sahani. The petitioners had come to the house of Lal Babu Sahani for settlement of the dispute between the husband and wife for that the informant who happens to be the neighbour of Lal Babu Sahani lodged this case that too after 14 days of the occurrence. It is further submitted that the injuries found on the persons of the injured including the informant are simple in nature.

The learned Additional Public Prosecutor however, opposed the prayer for anticipatory bail.

Having considered the the facts that although occurrence is said to have taken place on 05.05.2018 but the informant, who is said to have got simple injury, lodged the case only after 14 days of the occurrence without any satisfactory explanation and the injuries found on the persons of the informant and others injured are simple in nature, let petitioners, above named, in the event of their arrest or surrender before the



court below within a period of four weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, East Champaran at Motihari in connection with Madhuban P.S. Case No.72 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

S.KUMAR/-

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

