

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27513 of 2019

Arising Out of PS. Case No.-340 Year-2018 Thana- KESARIA District- East Champaran

1. MAHANTH SAHANI Son of Late Daroga Sahani Resident of - Chandparsa, P.S.- Kesharia, Distt - East Champaran.
2. Rupesh Sahani Son of Manth Sahani Resident of Village - Chandparsa, P.S. Kesharia, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar Mishra

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 29-07-2019 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kesharia P.S. Case No. 340 of 2018, G.R. Case No. 5775 of 2018 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 448, 379 and 413 of the Indian Penal Code and Section 27 of the Arms Act.

Thirteen motorcycle borne criminals descended at the house of the informant and accused Vakil Sahni, Sanjay Sahni, Vikesh Rai and Santosh Rai resorted firing upon the informant but anyhow he managed to escape unhurd. Other accused persons are said to have looted the cash and jewellery of the



family members of the informant.

It is submitted by learned counsel for the petitioner that they have no concern with the aforesaid occurrence. They happen to be Gotiya of the informant and land dispute between both the parties is pending since 1984 and a proceeding under Section 144 Cr.P.C. was also initiated against them earlier to case under hand. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. None has sustained injury in the occurrence. Allegation of theft is super-addition. Similarly situated several co-accused have been enlarged on bail by different co-ordinate Bench of this Court. Petitioners have no criminal antecedent.

On the other hand, learned A. P.P. for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Keshariya P.S. Case No.340 of 2018, subject to



the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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