

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4811 of 2018

Arising Out of PS. Case No.-337 Year-2017 Thana- MAJHAULIA District- West Champaran

1. Manoj Sahni and Ors Son of Bikrama Sahni
2. Rajeshwar Sahni Son of Bikrama Sahni
3. Ajay Sahni Son of Late Ramchandra Sahni
4. Ganesh Sahni Son of Late Jailal Sahni All Resident of Village - Mujhariya Shekh, P.S.- Majhauriya, District - West Champaran

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjeev Kumar
For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 05-02-2019

The appellants seek pre arrest bail in connection with Majhauriya P.S. Case No. 337 of 2017, registered for offences punishable under Sections 341, 323, 147, 148, 149, 332, 333, 307, 427 and 342 of the Indian Penal Code and Section 3 (2)(va) of SC/ST (POA) Act.

Allegation as per F.I.R. is that the police on information that hut of Munna Sahani was being removed by the appellants and others, reached the place of occurrence, where, accused persons alleged to have attacked the police party and damaged the police vehicle.

It has been submitted on behalf of the appellants that no specific allegation has been attributed to the appellants and they



have falsely been made accused in this case and in fact the hut was being constructed by Munna Sahni on the Gairmajarua land, which was being used for performing Chhath Puja and for that the appellants along with large number of others were protesting against the said illegal encroachment and due to which, this present false and concocted case has been lodged.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, let the appellants, above named, in the event of their arrest or surrender before the Court below, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -I – cum-Special Judge Bettiah, West Champaran, in connection with Majhauriya P.S. Case No. 337 of 2017, subject to the conditions laid down under Section 438 (2) of Cr.P.C.

Accordingly, this appeal is allowed and impugned order is set aside.

(Vinod Kumar Sinha, J)

sunilkumar/-

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CAV DATE	
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Transmission Date	

