

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4694 of 2018

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

1. Daroga Sahni, S/o Late Bhikhari Sahni
2. Rajbanshi Sahni, S/o Late Bhikhari Sahni,
3. Shambhu Sahni, S/o Late Bhikhari Sahni,
4. Indrajit Sahni, S/o Rajbanshi Sahni,
5. Mukesh Sahni, S/o Daroga Sahni, All R/o Vill.- Majhariya Shekh, P.S.- Majhauiliya, District- West Champaran.

... .. Appellants

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Sanjeev Kumar, Advocate

For the Respondent/s : .Smt Usha Kumari No.1, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 22-02-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 16.11.2018 passed by Additional District and Sessions Judge-I-Special Judge, West Champaran, Bettiah, in A.B.P. No. 1880 of 2018 filed by the appellants by which learned Special Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Majhauiliya P.S.Case No. 337 of 2017, registered under Sections 341, 323, 147, 148, 149, 332, 353, 307, 427, 342 of the Indian Penal Code and Section 3(ii)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the accused persons, including the appellants is of damaging the house of one Munna Sahni and when police reached there they have attacked the police personnel.

Submission of learned counsel for the appellants is that a large number of persons have been made accused in this case and no specific allegation has been attributed against any of the appellants and some other co-



accused persons have been granted privilege of anticipatory bail vide judgment dated 5.9.2018 in Cr.Appeal(SJ) No. 1879 of 2018 by a co-ordinate Bench of this Court.

Heard learned Special P.P.

Having heard both sides and in the facts and circumstances, let the appellants, named above, be released on bail, in the event of arrest or surrender, on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge-I-cum-Special Judge, West Champaran, Bettiah, in connection with Majhauriya P.S. case No. 337 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C. and one of the bailors of the appellants shall be a local person, having sufficient immoveable properties within the jurisdiction of court concerned.

Accordingly, the appeal is allowed and the impugned order dated 16.11.2018 is set aside.

(Vinod Kumar Sinha, J)

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CAV DATE	
Uploading Date	
Transmission Date	

