

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4475 of 2018

Arising Out of PS. Case No.-160 Year-2018 Thana- DARBHANGA District- Darbhanga

1. Santosh Sahni and Ors
2. Golden Sahni
3. Ram Kumar Sahni @ Ram Sahni All son of Sukhdev Sahni Resident of Mohalla-Sivajee Nagar, Ward No.22, P.S. Town, Distt.-Darbhanga

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vinay Kumar Mishra
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 22-01-2019

At the very outset, learned counsel for the appellants has submitted that appellant no.3 during pendency of the appeal has been arrested, as such this appeal with regard to appellant no. 3 has become infructuous.

In view of the above, this appeal with regard to appellant no. 3 is dismissed as having become infructuous.

Other appellants i.e. appellant nos. 1 and 2 seek pre arrest bail in connection with Town P.S. Case No. 160 of 2018, registered for offences punishable under Sections 447, 323, 324, 307, 427, 379/34 of the Indian Penal Code and Sections 3(i)(r) of the SC/ST (POA) Act.



Allegation against the appellant no. 1 is that he gave order, on which, co-accused gave dabiya blow on the head of the informant and appellant no. 3 assaulted the informant with fists and slaps.

It has been submitted on behalf of the appellants that the brother of appellants was having love affair with the nephew of the informant and due to which, the dispute arose between the parties and appellants have falsely been implicated in this case. Further there is case and counter case between the parties as co-accused Shyam Kumar has also lodged a case against the informant and others.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, let the appellant nos. 1 and 2, 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 SC/ST (POA) Act, Darbhanga, in connection with Town P.S. Case No. 160 of 2018, subject to the conditions laid down under Section 438 (2) of Cr.P.C.



Accordingly, this appeal with regard to appellant nos. 1
and 2 is allowed and impugned order is set aside.

(Vinod Kumar Sinha, J)

sunilkumar/-

AFR/NAFR	N/A
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