

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48553 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- KHAJAU LI District- Madhubani

1. VISHAL KUMAR SAHANI Son of Jagdeo Sahani Resident of Village-Kanhauli, Police Station-Khajauli, District-Madhubani.
2. Naresh Kumar Sahani Son of Ramautar Sahani Resident of Village-Kanhauli, Police Station-Khajauli, District-Madhubani.
3. Jagdeo Sahani Son of Kusheshwar Sahani Resident of Village-Kanhauli, Police Station-Khajauli, District-Madhubani.
4. Ramautar Sahani Son of Kusheshwar Sahani Resident of Village-Kanhauli, Police Station-Khajauli, District-Madhubani.
5. Surendra Sahani Son of Kaleshwar Sahani Resident of Village-Kanhauli, Police Station-Khajauli, District-Madhubani.
6. Lalita Devi Wife of Jagdeo Sahani Resident of Village-Kanhauli, Police Station-Khajauli, District-Madhubani.
7. Gena Devi Wife of Ramautar Sahani Resident of Village-Kanhauli, Police Station-Khajauli, District-Madhubani.
8. Neelam Devi Wife of Naresh Sahani @ Naresh Kumar Sahani Resident of Village-Kanhauli, Police Station-Khajauli, District-Madhubani.
9. Monika Kumari Daughter of Jagdeo Sahani Resident of Village-Kanhauli, Police Station-Khajauli, District-Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 06-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Khajauli P.S. Case No.36 of 2019/G.R. No.957 of 2019 registered under Sections 341, 323, 307, 448, 380, 354(B) and



504/34 of the Indian Penal Code.

The accusation is that in the morning of 09.03.2019, 10 persons, named in the F.I.R., including the petitioners started to construct the house on the Government land. When the informant Lila Devi made protest, then all started to cause assault to the informant. At that time, Jagdeo Sahani (petitioner no.3) twisted the neck of the informant through 'Gamchha'. On raising alarm by the informant, when Parwati Devi and Rewati Devi, the sister-in-law and mother-in-law of the informant respectively, rushed to save the informant, then they were also assaulted. In that course, Surendra Sahani (petitioner no.5) and Santosh Sahani took the box from the house of the informant in which cash Rs.10,000/- gold locket, clothes etc. were kept. Jagdeo Sahani (petitioner no.3) caused assault to the informant through iron rod, due to which the informant fell down. In that course, Vishal Sahani (petitioner no.1) and Naresh Sahani (petitioner no.2) torn the Saree of Parwati Devi, the sister-in-law of the informant.

Learned counsel for the petitioners submits that due to land dispute, the occurrence of "Maar-Peet" took place between the parties in which the petitioners' side also sustained injury regarding which Khajauli P.S. Case No.35 of 2019 was also



instituted on the basis of the fardbeyan of the petitioner no.6, namely, Lalita Devi against the husband of the informant and others. Moreover, the injury as found on the person of the informant is simple in nature. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-III, Madhubani, in connection with Khajauli P.S. Case No.36 of 2019/G.R. No.957 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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

