

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49951 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- MADHUBAN District- East Champaran

1. KAILASH SAHANI Son of Mandu Sahani Resident of village- Bahuara, P.S.- Madhuban, District- East Champaran.
2. Mithun Sahani Son of Ramautar Sahani Resident of village- Bahuara, P.S.- Madhuban, District- East Champaran.
3. Ganesh Sahani Son of Jagan Sahani Resident of village- Bahuara, P.S.- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-08-2019 Heard both sides.

The petitioners apprehend their arrest in Madhuban P.S. case No. 45 of 2019 registered under Section 341, 323, 324, 307, 379, 504, 506/34 of the IPC.

The informant alleged that on account of land dispute the accused persons, namely, Shiv Sahni, Mithun Sahni, Krishna Sahni and Ramautar Sahni assaulted his wife while she had gone to the field for cutting grass. On the next day again all the accused persons came and assaulted the informant and his wife.

The learned counsel for the petitioners submits that Shiv Sahni is alleged to have assaulted the informant with Dabia



on his head. Mithun Sahni is alleged to have assaulted the wife of informant with iron rod. There is no specific allegation against petitioner No.1, Kailash Sahni and petitioner No.3, Ganesh Sahni. The injury found on the person of wife of informant is simple in nature.

Taking into consideration the facts that the occurrence took place due to land dispute and the injuries found on the person of informant and his wife are simple in nature, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to 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 learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Madhuban P.S. case No. 45 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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