

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52042 of 2019

Arising Out of PS. Case No.-850 Year-2018 Thana- MOTIPUR District- Muzaffarpur

1. MOHAN SAHANI @ MOHAN KUMAR SAHANI Son of Nagina Sahani Resident of Village-Harauna Kalyanpur, P.S.-Motipur, District-Muzaffarpur.
2. Balli Sahani @ Baliram Sahani Son of Nagina Sahani Resident of Village-Harauna Kalyanpur, P.S.-Motipur, District-Muzaffarpur.
3. Manjay Sahani Son of Nagina Sahani Resident of Village-Harauna Kalyanpur, P.S.-Motipur, District-Muzaffarpur.
4. Dipu Sahani @ Deepak Sahani Son of Nawal Kishor Sahani Resident of Village-Bhikhanpura, P.S.-Ahiyapur, District-Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 22-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Motipur P.S. Case No. 850 of 2018 for the offence under Sections 147, 148, 149, 341, 447, 323, 324, 307 and 354/506 of the Indian Penal Code.

There is allegation against petitioners No. 1 and 4 of having outraged the modesty of the informant's grand daughter.

Considering the serious nature of allegation against them, as is evident from the First Information Report, they do not deserve privilege of grant of anticipatory bail. Their prayer for grant of anticipatory bail is accordingly rejected.



The petitioners No. 1 and 4 are directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If they do so, their application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

So far as petitioners No. 2 and 3 are concerned, it is alleged that when the informant was making complaint against the conduct of petitioners No. 1 and 4, they assaulted her and the victim.

Considering the nature of allegation against petitioners No. 2 and 3, their prayer for anticipatory bail is allowed.

Let the petitioners No. 2 and 3, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., West, Muzaffarpur, in Motipur P.S. Case No. 850 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners



shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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