

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54656 of 2019

Arising Out of PS. Case No.-79 Year-2019 Thana- MAKER District- Saran

1. Lalan Sahni, S/o Late Rameshwar Sahni Resident of Baghakol, P.S.- Maker, District- Saran
2. Bhular Sahni S/o Dashrath Sahni Resident of Baghakol, P.S.- Maker, District- Saran
3. Sipahi Sahni S/o Dashrath Sahni Resident of Baghakol, P.S.- Maker, District- Saran
4. Shiv Bachan Sahni S/o Late Bhola Sahni Resident of Baghakol, P.S.- Maker, District- Saran
5. Kundan Sahni S/o Shiv Bachan Sahni Resident of Baghakol, P.S.- Maker, District- Saran
6. Arun Sahni @ Arun Kumar Sahni S/o Shiv Bachan Sahni Resident of Baghakol, P.S.- Maker, District- Saran
7. Rupan Sahni S/o Sri Moti Sahni Resident of Baghakol, P.S.- Maker, District- Saran
8. Sukesher Sahni @ Sukeswar Sahni S/o Sri Moti Sahni Resident of Baghakol, P.S.- Maker, District- Saran
9. Moti Sahni S/o Late Balam Sahni Resident of Baghakol, P.S.- Maker, District- Saran
10. Amarjit Sahni @ Amarjit Kumar Sahni S/o Jai Narayan Sahni Resident of Baghakol, P.S.- Maker, District- Saran
11. Dharmendra Sahni S/o Sri Tethali Sahni Resident of Baghakol, P.S.- Maker, District- Saran
12. Horil Sahni S/o Sri Hawaldar Sahni Resident of Baghakol, P.S.- Maker, District- Saran
13. Raj Kishore Rai S/o Late Chandrika Rai Resident of Baghakol, P.S.- Maker, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh
For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-08-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.



Petitioners apprehend their arrest in connection with Maker P.S. Case No.79 of 2019 for the offence punishable under Sections 447, 147, 148, 149, 380, 354(B), 506 of the Indian Penal Code.

The allegation against the petitioners, as mentioned in the FIR is that on the date of occurrence in the evening while informant was sitting near his door along with his family members, petitioners along with other accused persons arrived there having lathi farsa, iron, rod and gun etc. in their hands and started assaulting the informant. It has further been alleged that the accused persons snatched golden chain and also made firing upon the informant and his family members but nobody was injured.

Mr. Rajeev Rai, learned counsel appearing for the petitioners submits that petitioners have falsely been implicated in this case inasmuch as both the parties are co-villagers and there is land dispute between them. Learned counsel further submits that there is case and counter case inasmuch for the same incidence, the side of the petitioners also lodged Maker P.S. Case No.84 of 2019 against the informant and others. Learned counsel further submits that in earlier occasion also, the informant had lodged a case bearing Maker P.S. Case No.74 of 1999 against petitioner No.1 to 2. Learned counsel further submits that petitioners No.2 and 3, 5,



6, 7 and 8 are full brothers and rest are entire family members, who have been made accused due to the previous enmity. Learned counsel for the petitioners also submits that no injury has been caused to anybody due to the alleged assault made by the petitioners.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that both the parties are co-villagers and there is case and counter case and no injury has been found on informant or his family members, as such, I am inclined to grant anticipatory bail to all the petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XII, Saran, Chapra, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

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(Anil Kumar Sinha, J)

