

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3251 of 2019

Arising Out of PS. Case No.-357 Year-2017 Thana- KUDHNI District- Muzaffarpur

-
1. Upendra Sahani son of Rajdeo Sahani. resident of Village- Padmaul, P.S.- Kudhani, District- Muzaffarpur.
 2. Balendra Sahani @ Balindar Sahani son of Rajdeo Sahani. resident of Village- Padmaul, P.S.- Kudhani, District- Muzaffarpur. .
 3. Ravindra Sahani son of Rajdeo Sahani. resident of Village- Padmaul, P.S.- Kudhani, District- Muzaffarpur.
 4. Chandan Sahni @ Chandan Kumar son of Jai Karan Sahani. resident of Village- Padmaul, P.S.- Kudhani, District- Muzaffarpur.
 5. Manoj Sahani @ Manoj Kumar son of Jai Karan Sahani. resident of Village- Padmaul, P.S.- Kudhani, District- Muzaffarpur.
 6. Anil Sahani son of Rameshwar Sahani, resident of Village- Padmaul, P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr.Pranav Kumar Jha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-01-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kudhani (Kurhani) P.S. Case No. 357 of 2017 for the offence under Sections 147, 148, 149, 341, 323, 324, 354, 379, 307, 506 of the Indian Penal Code and Section 27 of the Arms Act.

There is allegation that petitioner No.6 gave a blow with sharp cutting weapon in the informant's head causing injuries. It is also alleged that when the informant's brother came in rescue, the petitioner No.5 inflicted blow with an iron rod. There is allegation of snatching golden chain of the



informant's wife.

It is submitted on behalf of the petitioners that for an occurrence, which is said to have taken place on 27.08.2017, based on *fard beyan* of the informant on 01.09.2017, a case came to be instituted on 07.09.2017. There is no explanation for delay in registration of the First Information Report and the injury does not support the case of the prosecution.

Considering the nature of accusation and the injury found, as indicated in the order of the learned 2nd Additional Sessions Judge, Muzaffarpur, this application is allowed.

Let the petitioners above named, 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 Sri Nayan Kumar, learned J.M. 1st Class (West), Muzaffarpur in Kudhani (Kurhani) P.S. Case No. 357 of 2017, 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)

Pawan/-

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

