

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82495 of 2019

Arising Out of PS. Case No.-315 Year-2019 Thana- SUGAULI District- East Champaran

1. PANMATI DEVI Wife of Jitan Sahani Resident of Village- Mali Chhapra Tola, P.S.- Sugauli, District- East Champaran.
2. Mukesh Sahani Son of Jitan Sahani Resident of Village- Mali Chhapra Tola, P.S.- Sugauli, District- East Champaran.
3. Rakesh Sahani Son of Jitan Sahani Resident of Village- Mali Chhapra Tola, P.S.- Sugauli, District- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-12-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Sugauli P.S. Case No. 315 of 2019 registered under Sections 341, 323, 324, 325, 307, 354, 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that there is general and omnibus allegation against these petitioners, they are simply victims of false implication due to land dispute, however petitioners have no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of these petitioners.



Considering the facts and circumstances of the case wherein there are specific allegations of assault against petitioner no. 2 & 3 causing injuries to the informant and her son, this court is not inclined to grant privilege of anticipatory bail to petitioner nos. 2 & 3.

Prayer for anticipatory bail of petitioner nos. 2 & 3 is thus refused.

In case, they surrender and pray for regular bail in the court below within a period of four weeks from today, their prayer for regular bail shall be considered by the court below on its own merit without being prejudiced by the orders of this court.

So far as petitioner no. 1 is concerned, there is no specific allegation of assault against her and she has been named along with one Jitan Sahani who abused the informant but no specific allegation of assault against this petitioner, in the event of her arrest/surrender before the court below within a period of four weeks, let the above-named petitioner no. 1 namely, Panmati Devi, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with



Sugauli P.S. Case No. 315 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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