

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7552 of 2020

Arising Out of PS. Case No.-98 Year-2019 Thana- JANDAHA District- Vaishali

1. Bhonu Sahni S/o Batahu Sahni Resident of Mahisaur, P.S.- Jandaha, District- Vaiashli
2. Bhola Sahni S/o Batahu Sahni Resident of Mahisaur, P.S.- Jandaha, District- Vaiashli
3. Raju Sahni S/o Batahu Sahni Resident of Mahisaur, P.S.- Jandaha, District- Vaiashli
4. Rakesh Sahni S/o Batahu Sahni Resident of Mahisaur, P.S.- Jandaha, District- Vaiashli
5. Sukhlal Sahni S/o Late Faguni Sahni Resident of Mahisaur, P.S.- Jandaha, District- Vaiashli
6. Manjay Sahni @ Manjay Lal Sahni S/o Sukhlal Sahni Resident of Mahisaur, P.S.- Jandaha, District- Vaiashli
7. Dharmveer Sahni S/o Sukhlal Sahni Resident of Mahisaur, P.S.- Jandaha, District- Vaiashli
8. Adarsh Kumar Sahni @ Adarsh Kumar S/o Bhola Sahni Resident of Mahisaur, P.S.- Jandaha, District- Vaiashli

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-02-2020 Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition of petitioner no. 2, as during pendency of this case petitioner no. 2 has already been arrested.

Prayer is allowed. The anticipatory bail petition of petitioner no. 2 is dismissed as withdrawn being infructuous.



Heard learned counsel for the petitioners and learned A.P.P for the State.

The petitioner nos. 1, 3, 4, 5, 6, 7 and petitioner no. 8 apprehend their arrest in **Jandaha P.S. Case No. 98 of 2019**, registered for the offence punishable under Sections 147, 149, 148, 447, 341, 323, 324, 307, 504, 506 and 435 of the Indian Penal Code.

It is submitted that petitioners have falsely been implicated in this case. There is case and counter case. In the FIR, it is alleged that the accused persons assaulted the informant with Garasa, Bhala, Hasua, but from injury report, it appears that injury caused by hard and blunt substance. There is admitted land dispute between the parties. A title suit bearing T.S. No. 648/2013 is pending in the Court of Sub-Judge III, Vaishali at Hajipur. Petitioners have got clean antecedent.

Considering the facts aforesaid, the petitioner nos. 1, 3, 4, 5, 6, 7 and 8 above-named in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 **Chief Judicial**



Magistrate, Vaishali at Hajipur in connection with **Jandaha P.S. Case No. 98 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

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