

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70943 of 2019**

Arising Out of PS. Case No.-127 Year-2019 Thana- MADHUBAN District- East Champaran

CHUNU SAHANI Son of Jagdish Sahani Resident of Village-Kauriya  
Kajraha, P.S.-Madhuban, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vijay Shankar Shrivastava

For the Opposite Party/s : Mr.Satyendra Narayan Singh

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

3      05-03-2020                      Heard learned counsel for the petitioner as well as  
learned Addl. Public Prosecutor for the State.

Petitioner is apprehending his arrest in Madhuban P.S. Case no. 127/2019 registered under sections 307, 324 and other allied section of the IPC.

Prosecution case is that some land in the share of deceased brother of the informant was forcibly being captured by the petitioner, his brother and father. On objection being raised petitioner and his brother and father have assaulted the informant. Specific allegation against the petitioner is of giving kick on the chest of the informant and knife blow on the head of the informant's son Sanjay Sahni.

Counsel for the petitioner submits that scuffle had taken place even as per allegation in the FIR based on a land dispute at the spur of the moment. No such assault as alleged in the FIR is being corroborated by any medical report.



Learned A.P.P. however, could not point out in the case diary that there is any injury to sustain allegation against the petitioner.

Considering the aforesaid submissions, prayer for anticipatory bail is allowed.

In the event of arrest/ surrender within four weeks from the date of receipt of a copy of the order in the court below, petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in Madhuban P.S. Case no. 127/2019 subject to the condition under section 438(2) Cr.P.C and other conditions.

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

s.hassan/-

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**(Madhuresh Prasad, J)**

