

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74555 of 2019

Arising Out of PS. Case No.-4 Year-2018 Thana- LADANIA District- Madhubani

1. Musaharu Sahni @ Musharu Sahni, Son of Late Kishun Sahni, Resident of Village - Barhmotra, P.S. - Ladaniya, District - Madhubani.
2. Sunil Sahni, Son of Rajeshwer Sahni Resident of Village - Barhmotra, P.S. - Ladaniya, District - Madhubani.
3. Meena Devi @ Veena Devi @ Bina Devi, Wife of Musharu Sahni @ Musaharu Sahni Resident of Village - Barhmotra, P.S. - Ladaniya, District - Madhubani.
4. Sulekha Devi, Wife of Pratap Sahni Resident of Village - Barhmotra, P.S. - Ladaniya, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 16-03-2020 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Ladaniya P.S. Case No.04 of 2018, registered for the offence punishable under Sections 447, 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

The allegation against the petitioners is that petitioner No.2 along with other accused person arrived at the house of informant and petitioner No.3 assaulted the wife of the informant and petitioner No.4 snatched 20 Tola Hansuli from



the neck of the informant's wife. It has further been alleged that petitioner No.2 has given order to other accused person to assault the informant and his family members.

Mr. Gagan Deo Yadav, learned counsel appearing for the petitioners submits that both the parties are co-villagers and there is land dispute between them. Learned counsel further submits that there is case and counter case between them inasmuch as Ladaniya P.S. Case No. 168 of 2017 was lodged by the petitioner No.3 against the informant and others. Learned counsel further submits that injury caused to the informant was not due to assault made by petitioner No.2, 3 and 4 inasmuch as injury as per the allegation, the informant sustained injury in his neck due to assault made by Musaharu Sahni, petitioner No.1 who has already been arrested and bail application against him has already been withdrawn.

After having heard learned counsel for the parties and taking into consideration the fact that no specific allegation of assault is there against the petitioner No.2, 3 and 4 and the injury caused to the wife of informant has been found to be superficial in nature, I am inclined to grant anticipatory bail to the petitioner No.2, 3 and 4.

Accordingly, petitioner No.2, 3 and 4, 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.-IV, Madhubani, in connection with Ladaniya P.S. Case No.04 of 2018, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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