

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32270 of 2020

Arising Out of PS. Case No.-199 Year-2019 Thana- KESARIA District- East Champaran

1. Bharat Sahani, S/o Nirsu Sahani, Resident of Village-Gawandri, Police Station-Kesariya, District-East Champaran.
2. Mohar Lal Sahani, S/o Nirsu Sahani, Resident of Village-Gawandri, Police Station-Kesariya, District-East Champaran.
3. Sajawal Sahani, S/o Chandrika Sahani, Resident of Village-Gawandri, Police Station-Kesariya, District-East Champaran.
4. Tuntun Sahani, S/o Chandrika Sahani, Resident of Village-Gawandri, Police Station-Kesariya, District-East Champaran.
5. Ramnath Sahani, S/o Nirsu Sahani, Resident of Village-Gawandri, Police Station-Kesariya, District-East Champaran.
6. Dewanti Devi, W/o Ganesh Sahani, Resident of Village-Gawandri, Police Station-Kesariya, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 08-03-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

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

The petitioners apprehend their arrest in connection with Kesariya P.S. Case No. 199 of 2019, registered under



Sections 341, 323, 307 and 379/34 of the Indian Penal Code.

The accusation is that on 22.04.2019, informant, Lakhindra Sahni, was going to his wheat field then eight persons named in the FIR including the petitioners came and attack on him. In that course, his family members were assaulted through lathi and stick. At that time, Mohar Lal Sahni (petitioner no.2) gave farsa blow to the informant causing injury at his head and Tuntun Sahni (petitioner no.4) caused injury to his niece, Nirmala Kumari through lathi. Thereafter, Sajwal Sahni (petitioner no.3) snatched the gold chain from the neck of his sister-in-law and Bharat Sahni (petitioner no.1) snatched cash of Rs.4400/- from his pocket.

Learned counsel for the petitioners submits that, in fact, due to land dispute, hot talk was exchanged in between both sides on 22.04.2019, in which, both sides sustained slight injury but with ulterior motive, the informant, when the dispute was not settled in the Panchayat, lodged the present case with false allegation on 05.05.2019 after 15 days of the occurrence. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the



event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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, East Champaran, Motihari, in connection with Kesariya P.S. Case No. 199 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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

