

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35737 of 2020

Arising Out of PS. Case No.-585 Year-2019 Thana- BAGHA District- West Champaran

1. Bechu Sahani, Son of Late Prasad Sahani, Resident of village - Rahman Nagar, Police Station- Bagaha, District- West Champaran.
2. Umesh Sahani, Son of Kaleshwar Sahani, Resident of village - Rahman Nagar, Police Station- Bagaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra, Advocate.

For the Opposite Party/s : Ms. Verna Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 04-05-2021 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 Bagaha P.S. Case No. 585 of 2019, registered under Sections 341, 323, 324, 379, 307 and 504/34 of the Indian Penal Code.

The accusation is that after Panchayat, as held on 04.11.2019, informant, Badu Sahni, made demand of land of his share then both petitioners along with their wives started to abuse him. When the informant made protest then Bechu Sahani (petitioner



no.1) gave iron rod blow at his head and others also started to cause injury to him. When his niece, Ramu Sahani came to save him then he was also assaulted. At that time, Umesh Sahani (petitioner no.2) also snatched cash of Rs.5,000/- from his pocket.

Learned counsel for the petitioners submits that due to land dispute, hot talk and scuffle took place, in which, informant fell down and sustained slight injury at his head but with ulterior motive, informant lodged the present case with false allegation. Moreover, the injury, as found on the person of the informant, is simple in nature. Further submission is that petitioner has 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 A.C.J.M.-I, Bgaha, West Champaran, in connection with Bagaha P.S. Case No. 585 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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