

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49535 of 2021

Arising Out of PS. Case No.-187 Year-2021 Thana- TURKAULIYA District- East
Champaran

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1. SANJAY SAHANI Son of Late Prasad Sahani
 2. Ajay Sahani Son of Late Prasad Sahani
 3. Kishore Sahani Son of Shiv Sahani
 4. Rajesh Sahani Son of Charitar Sahani
 5. Manoj Sahani Son of Charitar Sahani
 6. Jagat Sahani Son of Charitar Sahani
- All Resident of Village - Sohil Chhapra, P.S.- Turkauliya, Distt. - E.
Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 04-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that he along with his brother and nephew were sitting at his door when all the accused persons came variously armed and on the order of Charitar Sahani, Rajesh Sahani armed with farsa and Sanjay Sahani armed with sword assaulted Rajbanshi



Sahani on his head causing injury, thereafter, Kishore Sahani and Charitar Sahani assaulted with lathi the said Rajbanshi Sahani. It is next alleged that the informant's nephew Anil Sahani was injured by Ajay Sahani and was also assaulted by Jagat Sahani with farsa on his head when he fell down. It is next alleged that Manoj Sahani assaulted the informant with sword on his head causing injury and thereafter Kishore Sahani and Charitar Sahani also assaulted the informant with lathi.

Learned counsel submits that from perusal of the injury report it would manifest that the injured has sustained simple injury except Rajbanshi Sahnai whose injury no. 5 is said to be grievous caused by stabbing. Learned counsel submits that though the injury report records that Rajbanshi Sahnai was stabbed but there is no allegation in the FIR of stabbing. Learned counsel thereafter submits that present case is counter blast to Turkauliya P.S. Case No. 186 of 2021. Learned counsel next submits that the injury report is not credible as it is some private hospital.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners and the fact that petitioners are



persons with clean antecedent and the injury suffered by the injured are simple in nature except one injury which is non-vital part of the body, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Turkauliya P.S. Case No. 187 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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