

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10086 of 2023

Arising Out of PS. Case No.-389 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. SUKESH SAHANI S/O VASHISHT SAHANI R/v- Jhitkahiya, P.S.-
Muffasil (Lakhaura), District- East Champaran.
 2. PAACHU SAHANI @ PACHU SAHANI S/O VASHISHT SAHANI R/v-
Jhitkahiya, P.S.- Muffasil (Lakhaura), District- East Champaran.
 3. ADALAT SAHANI S/O VASHISHT SAHANI R/v- Jhitkahiya, P.S.-
Muffasil (Lakhaura), District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-03-2023 At the outset, learned counsel for the petitioner seeks permission to withdraw this anticipatory bail application in respect of petitioner no.2, Paachu Sahani @ Pachu Sahani as he has already been apprehended by the police during pendency of this application.

Permission is granted.

Accordingly, this anticipatory bail application is dismissed as withdrawn so far as petitioner no.2, Paachu Sahani @ Pachu Sahani is concerned.

Now, the instant bail application survives only against petitioners no.1 and 3, namely, Sukesh Sahani and Adalat



Sahani.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in connection with Muffasil (Lakhaura) P.S. Case No.389 of 2022, registered for the offences punishable under Sections 341, 323, 325, 307, 379, 354, 504 and 34 of the Indian Penal Code.

Petitioner No.1, Sukesh Sahani is said to have assaulted the wife of the informant by means of *farsa* on her head causing bleeding injury. Petitioner No.3, Adalat Sahani is said to have snatched Rs.4500/- from the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that there is case and counter case between the parties. The injury report does not support the prosecution case, which is clear from the impugned order itself.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

Taking into consideration the facts aforesaid, let petitioners no.1 and 3, above named, in the event of their arrest



or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran in connection with Muffasil (Lakhaura) P.S. Case No.389 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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