

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20118 of 2023

Arising Out of PS. Case No.-190 Year-2017 Thana- PIPRAKOTHI District- East Champaran

1. Usha Devi W/O Rajendra Sahani @ Rajindra Sahani Resident of Village- Majhariya, P.S.- Kothi District- East Champaran.
2. Rajendra Sahani @ Rajindra Sahani S/O Sury Sahani Resident Of Village- Majhariya, P.S.- Kothi District- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rahul Singh, Advocate
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners, in the present case, are seeking pre-arrest bail in connection with Pipra Kothi P.S. Case No. 190 of 2017 registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 307, 504 of the Indian Penal Code. They have no criminal antecedent as stated in paragraph ‘3’ of the application.

As per the prosecution story, the informant has alleged that on 13.09.2017, while he was working in his field all the accused persons including the petitioners came there with weapons in their hands started capturing the land in question. On protest, all the accused persons attacked on him and tied his



legs and hands by rope and started pushing his neck by rope and threw him in the field knowing that he is dead.

Learned counsel for the petitioners submits that petitioner has been falsely implicated in this case due to admitted land dispute between the parties. Learned counsel submits that F.I.R. has been lodged after four days after the alleged occurrence.

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

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners that in the First Information Report there are altogether 10 named accused, there are general and omnibus allegations against them and three of them have been granted privilege of anticipatory bail by a learned coordinate Bench of this Court in Cr. Misc. No. 10756/2023, this Court, therefore, directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Pipra Kothi P.S.



Case No. 190 of 2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J.)

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