

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23451 of 2023

Arising Out of PS. Case No.-823 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. SAMOD SAHANI S/O NARAYAN SAHANI Resident of Village-
Barharwa, P.S.- Muffasil, District- East Champaran.
 2. GUDDU DEVI W/O SAMOD SAHANI Resident of Village- Barharwa,
P.S.- Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-06-2023 Heard the learned counsel for the petitioners and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Motihari Muffasil PS case no. 823 of 2022,
registered for the offences punishable under Section 379 and
other allied sections of the Indian Penal Code.

The allegation is regarding dispute having
cropped up on account of sharing of crops in between the
parties, whereafter the accused persons including the petitioners
are stated to have assaulted the informant and his wife.

The learned counsel for the petitioners submits
that the petitioners are innocent, they have been falsely



implicated in the present case and are having a clean antecedent. The learned counsel for the petitioners has further submitted that a general and omnibus allegation has been levelled against the petitioners and there is no injury report on record to show that the injured persons have received any injury.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioners are having a clean antecedent and there is no injury report on record to show that the injured persons have received any injury apart from the fact that a general and omnibus allegation has been levelled against the petitioners, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction



of learned C.J.M., Motihari, East Champaran in connection with
Motihari Muffasil PS case no. 823 of 2022, subject to the
conditions as laid down under Section 438(2) of Code of
Criminal Procedure.

(Mohit Kumar Shah, J)

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