

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25265 of 2023

Arising Out of PS. Case No.-331 Year-2021 Thana- KESARIA District- East Champaran

1. SUBHASH SAHANI SON OF RAMLAL SAHANI VILLAGE-LOHARGAWAN, PS- KESARIYA , DISTRICT -EAST CHAMPARAN
2. RUDAL SAHANI SON OF RAMNATH SAHANI VILLAGE-LOHARGAWAN, PS- KESARIYA , DISTRICT -EAST CHAMPARAN
3. BHAGWAN SAHANI @ NIRANJAN KUMAR SON OF NANDU SAHANI VILLAGE- LOHARGAWAN, PS- KESARIYA , DISTRICT -EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-07-2023

1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Kesariya PS Case No. 331 / 2021 dated 23.09.2021 registered under Section 341, 323, 324, 307, 354(B), 379, 504 , 506 , 34 of the IPC.

3. As per the prosecution case the petitioner no. 1 assaulted the informant by means of *farsa* on his head, petitioner no. 2 assaulted him by means of iron rod on head and petitioner no. 3 is said to be the order giver.

4. Learned counsel for the petitioners submits that



petitioners have falsely been implicated in this case along with other accused person, total 06 in number, due to land dispute and election dispute between the parties. He next submits that there is 12 days delay in lodging the First Information Report inasmuch as the date of occurrence is 12-09-2021 and *fardbyan* of the informant was recorded on 23 / 09 / 2021. He also submits that the injury caused to the informant is simple in nature as would be evident from the Annexure – 2 (i.e. injury report). He further submits that both the parties are agnates.

5. Regard being had to the submission made by the parties, taking into consideration the fact both the parties are agnates, there is land dispute / election dispute between them and injury caused to the informant is simple in nature , as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) each with two sureties of the like amount each to



the satisfaction of Chief Judicial Magistrate, Motihari, East
Champan in connection with Kesariya PS Case No. 331
of 2021 subject to the condition as laid down under Section
438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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