

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30966 of 2023

Arising Out of PS. Case No.-677 Year-2021 Thana- TURKAULIYA District- East
Champaran

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MUKESH SAHANI SON OF KAPILDEO SAHANI Resident of Village-
Jhakhya, P.S.-Banjariya, District-East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Advocate
For the Opposite Party/s : Mr.Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 14-07-2023 1. Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.
2. The petitioner apprehends his arrest in
connection with Turkauliya (Banjariya) P.S. Case
No. 677 of 2021, registered for the offences
punishable under Sections 341, 323, 307, 354(B),
379, 504, 506/34 of the Indian Penal Code.
3. The allegation is regarding a meeting
being held on the alleged date and time of
occurrence for resolving the land dispute in
question at the door of the house of the informant,
when the accused persons including the petitioner
herein had started assaulting the informant and



her family members by means of lathi, danda etc.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in one another criminal case but he is on bail in the said case. Lastly, it is submitted that a general and omnibus allegation has been levelled against the petitioner and there is no whisper about presence of any sort of injury report, in the impugned order, so as to suggest that the informant or her family members have sustained serious injuries.

5. Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. 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 on record as also considering the fact that a general



and omnibus allegation has been levelled against the petitioner apart from the fact that there is no injury report on record to suggest that the informant and her family members have sustained serious injuries, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

7. Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Turkauliya (Banjariya) P.S. Case No. 677 of 2021, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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