

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40658 of 2023**

Arising Out of PS. Case No.-417 Year-2022 Thana- BISFI District- Madhubani

1. Mahesh Sahni Son of Lalchan Sahni Resident of village - Aunshi Bhangama, Police Station - Aunsi, District - Madhubani.
2. Umesh Sahani @ Chotu @ Umesh Kumar Son of Mahesh Sahni Resident of village - Aunshi Bhangama, Police Station - Aunsi, District - Madhubani.
3. Ganesh Sahani Son of Mahesh Sahni Resident of village - Aunshi Bhangama, Police Station - Aunsi, District - Madhubani.
4. Bharti Devi Wife of Mahesh Sahni Resident of village - Aunshi Bhangama, Police Station - Aunsi, District - Madhubani.
5. Samta Kumari Daughter of Mahesh Sahni Resident of village - Aunshi Bhangama, Police Station - Aunsi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate  
For the Opposite Party/s : Mr. Sanjay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      28-07-2023                      Heard the parties.

The petitioners are apprehending arrest in connection with Bisfi (Aunsi) P.S. Case No. 417 of 2022 instituted under under Sections 341, 323, 324, 325, 147, 149, 354(B), 427, 307, 504 and 506 of the Indian Penal Code lodged on 3.12.2022 by the informant, Ramudgar Yadav.

As per the prosecution story, due to land dispute, the assault took place in which allegation against the petitioner no.1, 2 and 3 is of using 'Farsa' and 'Tengari' to hit the head of



the informant as also his son and in that background, their anticipatory bail stand rejected.

So far as petitioner no.4, Bharti Devi and petitioner no. 5, Samta Kumari are concerned, considering the fact that they are ladies, wife and daughter respectively of petitioner no.1, FIR lodged and ultimately they will face the trial, this Court is inclined to extend them privilege of anticipatory bail.

Let the petitioners namely Bharti Devi and Samta Kumari be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Bisfi (Aunsi) P.S. Case No. 417 of 2022 to the satisfaction of learned Additional Chief Judicial Magistrate-1, Benipatti (Madhubani), subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observation, the bail application is allowed.

**(Rajiv Roy, J)**

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