

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50263 of 2022

Arising Out of PS. Case No.-10 Year-2022 Thana- MAHESI District- East Champaran

1. Bhagu Sahani @ Bhirgu Sahni S/o Late Ayodhya Sahani @ Ram Ayodhya Sahani R/o village- Mahmada Chubey Tola, P.S.- Mehsi, District- East Champaran
2. Mukesh Sahni S/o Babu Lal Sahani R/o village- Mahmada Chubey Tola, P.S.- Mehsi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-01-2023 Heard learned counsel for the petitioner and Mr. Bharat Bhushan, learned APP who represents the State.

The petitioners are apprehending arrest in connection with Mehsi P.S. Case No. 10 of 2022 instituted under sections 147, 149, 447, 448, 341, 323, 307, 354, 506 of the Indian Penal Code.

As per the prosecution story, the informant alleged that the accused persons came and after assaulting her sprinkled kerosene oil and lit the fire causing burn injury to her. Accordingly, the FIR.

Learned counsel for the petitioners submit that they have been falsely implicated in this case. There is land dispute



and the Title Suit is also pending between them. The petitioners side has also filed complaint after failing to lodge the FIR in which a pregnant lady was assaulted. He further submits that irrespective of the outcome of the present petition and/or accepting the allegation made herein, the petitioners intend to extend medical assistance as also mental trauma to the tune of Rs. 20,000/- to the informant through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant and his wife after checking the credentials.

The last submission is that they do not have any criminal antecedents.

The learned APP opposes the prayer stating that although there is omnibus allegation, the same is of trying to burn the lady informant.

Taking into account the fact that the omnibus allegation is there, the petitioners do not have any criminal antecedents and there is counter allegation to the said occurrence, this Court is inclined to grant them relief subject to payment of Rs. 20,000/- as stated above.

Let the petitioners be released on bail, in the event of their arrest or surrender 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 like amount each to the
satisfaction of learned A.C.J.M.-6th, Motihari, East Champaran,
in connection with Mehsi P.S. Case No. 10 of 2022 subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

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