

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51439 of 2022

Arising Out of PS. Case No.-122 Year-2022 Thana- SUGAULI District- East Champaran

1. AKHILESH SAHANI S/o Late Charitra Sahani R/o village- Shitalpur, Ward No. 02, P.S.- Sugauli, District- East Champaran
2. Girija Sahani S/o Late Charitra Sahani R/o village- Shitalpur, Ward No. 02, P.S.- Sugauli, District- East Champaran
3. Dharamvir Sahani S/o Jhunna Sahani R/o village- Shitalpur, Ward No. 02, P.S.- Sugauli, District- East Champaran
4. Reshami Devi W/o Jhuna Sahani R/o village- Shitalpur, Ward No. 02, P.S.- Sugauli, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Moleshwar,Advocate

For the Opposite Party/s : Mr.Md. Aslam Ansari,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-01-2023 Heard learned counsel for the petitioners, informant and learned APP for the State.

At the outset, the learned counsel for the petitioners submit that so far as petitioner no. 2, Girija Sahani is concerned, he died on 18.12.2022 and as such, so far as his bail application is concerned, the same has become infructuous.

The petitioners apprehend their arrest in connection with Sugauli P.S. Case No. 122 of 2022 for the offence registered under Sections 147, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code.



As per the allegation in the FIR, the accused persons resorted to assault on the informant's side in which so far as the petitioner no. 1 is concerned, allegation is of using sword which hit his hand. So far as the petitioner nos. 3 & 4 are concerned, only they are in the column of accused but no role has been attributed to them.

Learned counsel for the informant submits that a host of accused persons have assaulted the informant's side and so far as the petitioner no. 1 is concerned, he has used sword which hit the informant's hand. He further submits that irrespective of the outcome of the present petition, the petitioners on their own would like to contribute Rs. 10,000/- as medical assistance to the informant towards the injury that he has allegedly sustained.

As per the observation of the learned Session Judge, the injury on the hand of the informant has been found to be simple in nature.

Taking into account the fact that there is no direct allegation against petitioner no. 3 & 4, the allegation so far as petitioner no. 1 is concerned, the same has been found to be simple in nature, this Court is inclined to grant them relief.

Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the



order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Sugauli P.S. Case No. 122 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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