

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51293 of 2023

Arising Out of PS. Case No.-142 Year-2017 Thana- CHAKIA District- East Champaran

1. VINOD SAHANI S/o- LATE JAGDISH SAHANI Village- Bara Baisaha Ps- Chakiya dist- East Champaran
2. Prince Kumar son of Vinod Sahani Village- Bara Baisaha Ps- Chakiya Dist- East Champaran
3. Alok Kumar son of Vinod Sahani Village- Bara Baisaha Ps- Chakiya Dist- East Champaran
4. Nemilal Sahani son of Ramagya Sahani Village- Bara Baisaha Ps- Chakiya Dist- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Chakiya P.S. Case No. 142 of 2017 registered for the offences punishable under Sections 341, 323, 307, 379, 384, 504/34 of the Indian Penal Code. They have no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant has alleged that while he was going to Chakiya Bazar on his motorcycle, in the meantime, all the accused persons including



the petitioners surrounded the informant and his brother-in-law and assaulted them with knife, thereafter they were also assaulted by means of rod and fatha and snatched Rs. 50,000/- from the pocket of Sanjiv Kumr Sahani.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case. Learned counsel submits that the informant sustained one injury on his forehead which is simple in nature caused by hard and blunt object.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the submission that the allegation against the petitioners are general and omnibus, the thrust of the allegations are against co-accused Ritesh Kumar and the injury caused by him is simple in nature, these petitioners have otherwise no criminal antecedent, in the circumstances, this Court directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with



Chakiya P.S. Case No. 142 of 2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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