

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56729 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- CHIRAIYA District- East Champaran

1. RAM PRASAD SAHNI SON OF RAMCHANDRA SAHNI RESIDENT OF VILLAGE-LALBEGIYA, PS- CHIRAIYA, DISTT- EAST CHAMPARAN AT MOTIHARI
2. ANIL SAHNI SON OF RAMCHANDRA SAHNI RESIDENT OF VILLAGE-LALBEGIYA, PS- CHIRAIYA, DISTT- EAST CHAMPARAN AT MOTIHARI
3. PREM SAHANI SON OF CHANARMAN SAHNI RESIDENT OF VILLAGE-LALBEGIYA, PS- CHIRAIYA, DISTT- EAST CHAMPARAN AT MOTIHARI
4. RAMCHANDRA SAHNI SON OF CHANARMAN SAHNI RESIDENT OF VILLAGE-LALBEGIYA, PS- CHIRAIYA, DISTT- EAST CHAMPARAN AT MOTIHARI
5. BUNIYAD SAHNI SON OF PREM SAHANI RESIDENT OF VILLAGE-LALBEGIYA, PS- CHIRAIYA, DISTT- EAST CHAMPARAN AT MOTIHARI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.
For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 30-08-2023 1. Heard the learned counsel for the petitioners and learned APP for the State.
2. This is an application for grant of anticipatory bail in connection with Chiraiya P.S. Case No.30 of 2023, registered for offences under Section 379 of the IPC.
3. The allegation is regarding the accused persons, that is the petitioners herein, having cut and stolen the Seesam



and Semar tree of the informant.

4. The learned counsel for the petitioners has submitted that the petitioners are innocent and they have been falsely implicated in the present case. The learned counsel for the petitioners has further submitted that apart from the petitioner no.1, rest of the petitioners are having a clean antecedent and as far as the petitioner no.1 is concerned, he is an accused in one another case but he is on bail in the said case. It is also submitted by referring to paragraph no.7, of the present petition that no recovery has been made from the petitioners, hence a false and a concocted case has been lodged against the petitioners.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for 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 available on record as also considering the fact that it is the specific averment of the petitioners that the stolen trees in question have not been recovered from the petitioners, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.



7. Accordingly, the above named petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Sikarhana at Dhaka, East Champaran at Motihari in connection with Chiraiya P.S. Case No.30 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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