

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59390 of 2023**

Arising Out of PS. Case No.-5 Year-2023 Thana- SHANKARPUR District- Madhepura

1. Panchu Sahni Son Of Late Anup Sahni Resident Of Village - Khap Tola, Ward No. 12, P.S. - Shankarpur, District - Madhepura
2. Satya Narayan Sahni Son Of Late Anup Sahni Resident Of Village - Khap Tola, Ward No. 12, P.S. - Shankarpur, District - Madhepura

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      18-10-2023                      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 Shankarpur P.S. Case No. 05 of 2023 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 34 of the Indian Penal Code. They have got no criminal antecedent.

3. As per the prosecution story, the accused persons named in the F.I.R including the petitioners alleged to have indulged in abuse and assault to the informant's son, wife, informant's brothers and their wives.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this



case. It is submitted that there is a land dispute between the parties and petitioner no. 1 has also lodged Shankarpur P.S. Case No. 4 of 2023 for the same occurrence. It is further submitted that the injuries of the informant's side are found to be simple in nature.

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

6. Having regard to the facts and circumstances of the case, this being a case of land dispute between the parties in which a title suit is also pending, as regards the alleged occurrence, there is a case and counter case, the petitioner no. 1 is said to be the order giver whereas against petitioner no. 2 there are general and omnibus kind of allegations and it is stated that the alleged injury to the informant's wife and his brothers and their wives are simple in nature, the petitioners have otherwise no criminal antecedent, this Court directs that in case of their arrest or surrender within a period of six weeks from today, the petitioners above named shall be released on bail in connection with Shankarpur P.S. Case No. 05 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M-1, Madhepura, 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.

8. This application stands allowed.

**(Rajeev Ranjan Prasad, J)**

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