

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67502 of 2022

Arising Out of PS. Case No.-256 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Manoj Sahani S/O Atya Sahani R/V- Sirasa, P.S.- Mufassil, District- East
Champaran Motihari
 2. Jhunna Sahani S/O Atya Sahani R/V- Sirasa, P.S.- Mufassil, District- East
Champaran Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-01-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 147, 148,
307, 302 and 504/34 of the Indian Penal Code.

Petitioners along with other accused persons are said
to have abused the informant. On objection, all of them brutally
assaulted the husband of the informant with lathi, danda and
iron rod as a result of which husband of the informant died at
spot.

Learned counsel for the petitioners submits that
the petitioners are innocent and have been falsely implicated in
this case. He submits that due to property dispute, they have
been made accused in the present case. No specific injury is
attributed against them. He submits that there is general and



omnibus allegation levelled against the petitioners. He submits that similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 19.08.2020 passed in Cr. Misc. No. 19941 of 2020. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that the similarly situated co-accused has already been granted bail, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Muffasil P.S. Case No. 256 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

devendra/-

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(Anjani Kumar Sharan, J)

