

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72933 of 2023

Arising Out of PS. Case No.-62 Year-2016 Thana- HATHAURI District- Samastipur

1. SATAN SAHANI @ SATTAN SAHNI SON OF LATE SAUMAN SAHANI
R/O VILLAGE- MALHIPAKAR, P.S.- HATHAURI, DISTRICT-
SAMASTIPUR
2. VIRENDRA SAHNI SON OF JHHOTI SAHANI R/O VILLAGE-
MALHIPAKAR, P.S.- HATHAURI, DISTRICT- SAMASTIPUR
3. AKLU SAHNI SON OF JIBACHH SAHNI R/O VILLAGE-
MALHIPAKAR, P.S.- HATHAURI, DISTRICT- SAMASTIPUR
4. PANKAJ SAHNI SON OF GANESHI SAHNI R/O VILLAGE-
MALHIPAKAR, P.S.- HATHAURI, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioners and the
State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 341 , 323 , 324, 307, 380, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case , all the accused persons named in the FIR including these petitioners were cutting the bamboo from the bamboo clump of the informant and when the informant saw and raised alarm thereafter, petitioner No. 2 and 3 entered the house of informant and when



his son made protest, then petitioner No. 1 gave order to took all the articles and to kill both the informant and his son . It is further alleged that co-accused Ganesh Sahni assaulted the informant by means of Farsa due to which informant sustained head injury and thereafter all the accused persons and fled away taking box containing cloth and ornaments.

4. It is submitted on behalf of the petitioners that that due dispute over cutting of bamboo from the joint bamboo plantation of the family of the informant, a free fight took place between the parties. There is case and counter case . Both sides sustained injury . Petitioner No. 1 is only alleged to be the order giver. Injury caused by petitioner No. 2 is found to be simple in nature and so far as petitioner Nos. 3 and 4 are concerned. There is general and omnibus allegation against them. Petitioners claim clean antecedent.

5. Learned counsel for the State oppose the bail petition.

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of



the JMFC , Rosera at Samastipur in connection with Hathauri
P.S. Case No. 62 of 2016 , subject to the conditions laid down
under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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