

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9000 of 2024

Arising Out of PS. Case No.-201 Year-2023 Thana- CHHAURADANO District- East
Champaran

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1. Nagendra Sahani aged about 55 years, Gender- Male, Son Of Janakdhari Sahani
 2. Prem Sahani @ Prem Chandra Sahani aged about 40 years, Gender – Male, Son Of Janakdhari Sahani
 3. Puran Sahani aged about 37 years, Gender – Male, Son Of Janakdhari Sahani
 4. Pancham Sahani aged about 35 years, Gender – Male, Son Of Late Bhola Sahani
- All are Resident Of Village - Bhangri, P.S. - Chhauradano, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-02-2024 Heard Mr. Madhurendra Kumar, learned counsel

appearing on behalf of the petitioners and Mr. Lalan Kumar,

learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Chhauradano P.S. Case No. 201 of 2023 registered for the
offence punishable under Sections 341, 323, 308, 379 and
504/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, all the
accused persons named therein including the petitioners had



assaulted the informant and his family members and had snatched gold Mangal Sutra and earring from Shakuntala Devi.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. Both the parties are agnates and there is admitted land dispute between them. There is case and counter case between the parties. Specific allegation of assault is against the petitioner no. 1, who had assaulted the sister-in-law of the informant and petitioner no. 2 had assaulted the informant, however, injuries sustained by them are simple in nature. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, the fact that specific allegation of assault is against the petitioner no. 1, who had assaulted the sister-in-law of the informant and petitioner no. 2 had assaulted the informant, however, injuries sustained by them are simple in nature. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be



released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, 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 Sub Divisional Judicial Magistrate, Raxaul, East Champaran, Motihari, in connection with Chhauradano P.S. Case No. 201 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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