

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71864 of 2023

Arising Out of PS. Case No.-311 Year-2022 Thana- CHHAURADANO District- East
Champaran

Mukesh Sahani, Son of - Late Devraj Sahani, Resident of Village - Malahi,
P.S. Chhauradano, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 70788 of 2023

Arising Out of PS. Case No.-311 Year-2022 Thana- CHHAURADANO District- East
Champaran

1. Raghuvir Sahani Son Of Late Devraj Sahani Resident Of Village- Malahi,
Ps- Chhauradano, Distt- East Champaran
2. Ramdayal Sahani Son Of Late Devraj Sahani Resident Of Village- Malahi,
Ps- Chhauradano, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 71864 of 2023)
For the Petitioner/s : Mr.Anang Mohan Sinha
For the Opposite Party/s : Mr.Nawal Kishore Prasad
(In CRIMINAL MISCELLANEOUS No. 70788 of 2023)
For the Petitioner/s : Mr.Anang Mohan Sinha
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-02-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in a case
registered for the offence punishable under Sections 341, 323,



324, 307, 379, 504 and 34 of the Indian Penal Code.

3. As per allegation in the F.I.R., all the F.I.R. named accused persons including these petitioners armed with deadly weapons are said to have entered into the house of the informant and assaulted the informant and his family members with intention to kill them due to which they sustained injuries.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case due to land dispute and also to save their skin from the earlier case lodged by the petitioner Mukesh Sahani vide Chhauradano P.S. Case No. 310 of 2022 against the informant and others. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The injury report does not support the prosecution case. There is admitted land dispute and case and counter case between the parties. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. It is further submitted that petitioners have surrendered on 28.07.2023 before the learned Lower Court and since then they are languishing in judicial custody.

5. The application for bail is opposed by learned APP



for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioners, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, East Champaran, Motihari in connection with Chhauradano P.S. Case No.311 of 2022.

(Sunil Kumar Panwar, J)

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