

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78201 of 2024

Arising Out of PS. Case No.-95 Year-2024 Thana- BANJARIA District- East Champaran

1. Mangal Kumar Sahani Son of Harendra Sahani Village -Jhakhiya, P.S.- Banjariya, District- East Champaran
2. Mithu Sahani @ Mithu Kumar son of Late Mahendra Sahani Village -Jhakhiya, P.S.- Banjariya, District- East Champaran
3. Vikash Sahani son of Tuni sahani Village -Jhakhiya, P.S.- Banjariya, District- East Champaran
4. Gautam Govinda Sahani Son of Late Dela Sahani Village -Jhakhiya, P.S.- Banjariya, District- East Champaran
5. Pawan Kumar son of Late Dela Sahani Village -Jhakhiya, P.S.- Banjariya, District- East Champaran
6. Bhola Sahani son of Shri Bhagwan Sahani Village -Jhakhiya, P.S.- Banjariya, District- East Champaran
7. Jhunu Sahani son of Shri Bhagwan Sahani Village -Jhakhiya, P.S.- Banjariya, District- East Champaran
8. Gudu Sahani son of Shri Bhagwan Sahani Village -Jhakhiya, P.S.- Banjariya, District- East Champaran
9. Rajendra Sahani son of Late Nandu Sahani Village -Jhakhiya, P.S.- Banjariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 03-12-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Banjariya PS case no. 95 of 2024, disclosing offences punishable under Sections 379, 307 and other allied



sections of the Indian Penal Code.

3. The prosecution story, as per the First Information Report, is that on 21.05.2024 in the evening, when the informant was sitting at his room, all the petitioners armed with sharp cutting weapon in their hands, assaulted the informant. The accused persons also snatched golden chain and cash amount of Rs. 60,000/- from the informant. When the informant's mother tried to save him, the petitioner also assaulted her and pulled her down on the ground, due to which, she was disrobed.

4. Learned Counsel for the petitioners submits that both parties are neighbours and all the family members, nine in number, have been made accused due to quarrel between the children while playing. Learned counsel further submits that the allegation against the petitioners is general and omnibus in nature and injuries caused to the informant are simple in nature, as would be evident from injury report, annexed as Annexure-P/2 to this application. The other allegations are ornamental in nature.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that allegations against the petitioners are general and omnibus in nature and injuries caused to the informant are simple in nature,



I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six weeks, be released 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 learned Additional Chief Judicial Magistrate-VI, East Champaran at Motihari in connection with Banjariya PS case no. 95 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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