

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.43983 of 2025

Arising Out of PS. Case No.-1386 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Prabhawati Devi W/O Shivdhari Sahani Resident of village- Banarjhula, Bhagwanpur, P.s.- Pakridayal, District- East Champaran
 2. Rajkali Devi @ Rajkali Kunwar W/O Late Shankar Sahani Resident of village- Banarjhula, Bhagwanpur, P.s.- Pakridayal, District- East Champaran
 3. Shivdhari Sahani S/O Late Shankar Sahani Resident of village- Banarjhula, Bhagwanpur, P.s.- Pakridayal, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Munnilal Sahani S/O Late Deodhari Sahani Resident of village- Banarjhula, Bhagwanpur, P.s.- Pakridayal, District- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-07-2025 Heard Mr. Abhishek Kumar, learned counsel for

the petitioners and Mr. Nand Kishore Prasad, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Complaint Case No. 1386 of 2023 for the offences punishable under Sections 379, 420, 467, 468, 504 and 506 of the Indian Penal Code.

3. According to prosecution case, due to some land dispute these petitioners brutally assaulted the complainant and his mother due to which his mother sustained several injuries.

4. Learned counsel for the petitioners submits that petitioner no. 3 has clean antecedent and petitioner nos. 1 and 2 carries one criminal antecedent other than the present one and



they have falsely been implicated in the present case. It appears from the complaint petition that due to admitted land dispute the present occurrence has taken place. From perusal of the complaint petition as well as S.A. of the complainant it appears that there is no specific allegation against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that there is no specific allegation against these petitioners in the complaint petition as well as in the S.A. of the complainant and due to land dispute the present occurrence has taken place, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Additional Chief Judicial Magistrate- 8th, Motihari, East Champaran in connection with Complaint Case No. 1386 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of



the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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