

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64874 of 2024

Arising Out of PS. Case No.-183 Year-2024 Thana- CHIRAIYA District- East Champaran

1. Brahamdeo Sahani S/O Late Gauri Sahani Resident of Village- Akauna, P.S.- Chiraiya, District- East Champaran.
2. Hemraj Sahani S/O Ramji Sahani Resident of Village- Akauna, P.S.- Chiraiya, District- East Champaran.
3. Anil Sahani @ Anil Kumar Nishad S/O Brahamdeo Sahani Resident of Village- Akauna, P.S.- Chiraiya, District- East Champaran.
4. Shyama Lal Sahani @ Samlal Sahani S/O Late Gauri Sahani Resident of Village- Akauna, P.S.- Chiraiya, District- East Champaran.
5. Chulahi Sahani S/O Methur Sahani Resident of Village- Akauna, P.S.- Chiraiya, District- East Champaran.
6. Chanda Devi W/O Birendra Sahani Resident of Village- Akauna, P.S.- Chiraiya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
Mr. Sumit Kumar, Adv.
Mr. Sudhanshu Kumar, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

[illegible]

2. The petitioners are apprehending arrest in connection with Chiraiya P.S. Case No. 183 of 2024, lodged on 01.05.2024, under Sections 147, 148, 149, 341, 323, 324, 307, 447, 379 and 504 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against 24 named accused persons, including the present petitioners,



against whom it is alleged that all the accused, in connivance with each other, assaulted the informant and his family members, resulting in various injuries. During the chaos, the accused persons snatched the informant's gold chain, valued at Rs. 30,000/-. They also pelted stones at the informant's house, vandalized some household articles, and damaged the tractor of the informant's nephew.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that the petitioner No. 1 is aged about 72 years and against the petitioner Nos. 2, 4, 5 and 6, there are no any specific allegation. Counsel further submits that for the same date and place of occurrence, there are both a case and a counter-case. One case has been lodged by the petitioners' side against the informant's side, bearing Chiraiya P.S. Case No. 191 of 2024, and another case has been lodged by the informant, bearing Chiraiya P.S. Case No. 183 of 2024. Counsel also submits that the criminal antecedents of the petitioners are clean.

5. Learned APP for the State opposes the prayer for bail and submits that there are specific allegations against the petitioner Nos. 1 and 3 that they gave lathi blows on the



pakhura (left side of upper arm), due to which he sustained grievous injuries.

6. As such, considering the aforesaid facts and circumstances, let the petitioner No. 1, namely, Brahamdeo Sahani, petitioner No. 2, namely, Hemraj Sahani, petitioner No. 4, namely, Shyama Lal Sahani, petitioner No. 5, namely, Chulahi Sahani and petitioner no. 6, namely, Chanda Devi, be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Sikrahna at Dhaka, in connection with Chiraiya P.S. Case No. 183 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

7. So far as the case of petitioner No. 3, namely, Anil Sahani, is concerned, this Court is not inclined to grant bail to petitioner No. 3.

(Dr. Anshuman, J.)

Aman Kumar/-

U		T	
---	--	---	--

