

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34969 of 2015

Arising out of PS.Case No. -30 Year- 2012 Thana -KARJA District- MUZAFFARPUR

Madan Sahni, Son of Late Ambika Sahni, resident of Village - Raksha, P.S.
- Karja, District - Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Md. Iftexhar Mahmood, Advocate.

For the Opposite Party : Mr. Indra Kr.Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 05-10-2015 Heard learned counsels for the petitioner, informant and
learned counsel for the State

The petitioner is languishing in custody since 14.03.2015
in connection with Karja P.S. Case No. 30 of 2012 for the offences
instituted under Sections 147, 148, 149, 323, 341, 324, 307, 380,
452 and 504/34 of the IPC. Later on, Section 302 of the IPC was
also added.

The prosecution story, in brief, is that on 04.03.2012,
while the informant was sitting on his door after taking meal, in
the meantime, accused persons namely, Madan Sahani, Rajesh
Sahani, Ram Awatar Sahani, Sita Ram Sahani, Nagina Sahani,
Bahadur Sahani, Jay Kishore Sahani, Dipak Sahani, Devendra
Sahani, Shankar Sahani, Jamadar Sahani and Subedar Sahani



came there with Lathi, Danda and four unknown accused persons were also with them. The accused persons began to abuse them, on protest, all accused persons with an intention to kill him attacked upon them with Lathi and Farsa. The informant further says that he alongwith Shankar Sah were injured and they were admitted in the Hospital. Shivji Sah and Shankar Sah referred to S.K.M.C.H., Muzaffarpur. The dispute relates to the land. He further stated that the accused persons took away Jewellery worth Rs. 50,000/- and cash of Rs. 20,000/-. The accused Madan Sahani put Lathi on the neck of Shankar Sah, Sita Ram Sahani and Nagina Sahni put pressure on him and the informant and Shivji Sahani got head injury.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 14.03.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence. The allegation of assault by Lathi upon the deceased is not against the petitioner. No specific injury has been attributed against this petitioner.

On behalf of the learned counsels for the informant and the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, IVth, West, Muzaffarpur, in connection with Karja P.S. Case No. 30 of 2012.

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(Sudhir Singh, J)