

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9848 of 2015**

Arising Out of PS.Case No. -108 Year- 2014 Thana -KHANPUR District-  
SAMASTIPUR

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Jibachh Sahni s/o - Late Parsadi Sahani Resident of village - Haripur Ghat,  
P.S. - Khanpur Distt. - Samastipur.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar No-1, Adv.

For the Opposite Party/s : Mr. Mukesh Kr.Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL**  
**ORAL ORDER**

3      23-04-2015      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks bail in a case registered for the  
offence punishable under Sections 323, 325, 307, 341,302/34 of  
IPC.

Allegation against the petitioner is to have assaulted  
the deceased on his dead with iron rod.

It is submitted that the deceased died during  
treatment. Post-mortem report shows that there was no injury on  
the head and there was only one external injury, i.e., blacken  
hametoma around left eye. The doctor had not opined the cause of  
death and the viscera had been preserved. The petitioner has no  
criminal antecedent.

It is further submitted that in similar facts and circumstances, co-accused Rajesh Sahani @ Rajesh Kumar Sahani has been granted anticipatory bail and Shambhu Sahani and Fool Kumari Devi have been granted regular bail by this Court vide Cr. Misc. No. 14651 of 2015 and Cr. Misc. No.52108 of 2014 respectively.

Learned counsel for the State could not controvert the contention of the petitioner while opposing the prayer of the petitioner.

Considering the facts and circumstances, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of Sri Atul Kumar Singh, J. M., 1<sup>st</sup> Class, Samastipur/court concerned in Khanpur P. S. Case No. 108 of 2014 **after framing of charge** with following conditions:-

1. The petitioner will not indulge himself in similar or any other offence.
2. One of the bailors must be the close relative of the petitioner.
3. The petitioner will be well represented in the Court on each and every date and in case of absence for two consecutive

dates or in case of violation of terms of bail, his bail bond would be liable to be cancelled by the learned Court concerned.

**(Amaresh Kumar Lal, J)**

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