

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.24671 of 2016**

Arising Out of PS.Case No. -329 Year- 2015 Thana -KUDHNI District- MUZAFFARPUR

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Yogi Sahani son of Late Sant Lal Sahani, resident of Village- Basant  
Kharawna, P.S. Kudhni, District- Muzaffarpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. B.Ram, APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA**  
**ORAL ORDER**

2      01-06-2016

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Section 302/34 of the Indian Penal Code.

Though the petitioner, besides others, is named in the first Information Report vide Annexure-1, as an accused, but taking into consideration the fact that the allegation of assault against several accused persons including the petitioner is omnibus and general in nature and also taking into consideration the fact that co-accused Saroj Kumar Sahani, with almost identical allegation, has been granted bail by a Bench of this Court by order dated 21.04.2016 passed in Cr.Misc.No.16074 of 2016 (Annexure-3) and further taking into consideration the fact that the petitioner is said to be the first offender, let the above named petitioner be released on bail on furnishing bail bond of Rs.25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, (West), Muzaffarpur in connection with Kurhani (Turki O.P.) P.S.Case No. 329 of 2015, subject to the following conditions that:

- (A) one of the bailors must be a government servant or close family member or close relation of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,
- (B) if the petitioner is found involved in same and similar nature of cases in future, then in that case, the informant/prosecution shall be at liberty to file a petition for cancellation of bail bonds of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving an opportunity of hearing to all concerned, and
- (C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

**(Birendra Prasad Verma, J)**

Tahir/-

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