

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20096 of 2016

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

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1. Raj Kumar Sahani @ Raj Kumar Sahni Son of Harihar Sahni Residence
of Village- Basant Kharauna, PS. Turki O.P. Distt Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar

For the Opposite Party/s : Mr. Anant Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-05-2016

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Section 302/34 of
the Indian Penal Code.

The prosecution case is that on 9.09.2015 at
10:30 P.M, co-accused Saroj Sahni, Ram Kumar Sahni, Vivek
Sahni and this petitioner confined the younger brother of the
informant on presumption that he has committed theft. The
brother of the informant was assaulted by several persons
including the petitioner.

It is submitted by learned counsel for the
petitioner that brother of the informant was a habitual thief
and the villagers caught him while committing theft and he was
assaulted by a mob. From the averments made in the written
report, it appears that the informant is not the eye witness to
the occurrence. For the occurrence of 09.09.2015 at 10:30 P.M

the F.I.R was registered on 10.09.2015 at 8:00 P.M.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

It appears that similarly situated co-accused Vidya Sahni has been granted regular bail vide Cr. Misc. No. 621 of 2016.

Let learned Court below consider the prayer for regular bail of the petitioner, keeping in view of the fact that accusation is against the mob, if the petitioner surrenders within a period of six weeks in connection with Kurhani(Kudhani) P.S. Case No. 329 of 2015, pending in the Court of learned Judicial Magistrate, 1st Class, Muzaffarpur.

With the observations above, the application stands disposed off.

(Dinesh Kumar Singh, J)

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