

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31978 of 2016

Arising Out of PS.Case No. -295 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

Dharmendra Sahani, son of Shri Chandeshwar Sahni, Resident of Village -
Vijayee Chhapra, Police Station - Ahiyapur, District - Muzaffarpur.

.... Petitioner

Versus

The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sachchida Nand Singh

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 30-08-2016 Heard Sri Sachchida Nand Singh, learned counsel
for the petitioner, learned Addl. Public Prosecutor as well as Sri
Sanjay Kumar, learned counsel, who has voluntarily appeared on
behalf of the informant.

The sole petitioner, apprehending his arrest in
Ahiyapur P.S. Case No.295 of 2016 registered for the offence
under Sections 436,379, 34 of the Indian Penal Code, has prayed
for grant of anticipatory bail.

It was submitted by learned counsel for the
petitioner that the present case was lodged with a view to put
pressure on the father of the petitioner, who was an eye witness in
a case , in which husband of informant is in custody allegedly for
offence under Section 302 and other allied Sections of the Indian
Penal Code. It was further submitted that as per F.I.R., the

informant has not stated that the house, where the informant was residing, was set on fire by the petitioner. It has been alleged that in an old house, some occurrence had taken place. It has also been argued that in this case, there is no eye witness. He further submits that the petitioner and informant are Pattidars and Title Suit in between both families is already going on.

Sri Sanjay Kumar, learned counsel for the informant has vehemently opposed the prayer for anticipatory bail of the petitioner on the ground that the petitioner has been named as main accused in the F.I.R.

However, after going through the material on record and examining the impugned order, the Court is satisfied that it is a fit case for extending the privilege of anticipatory bail. Accordingly, let the petitioner, namely, Dharmendra Sahani, in the event of his arrest or surrender within six weeks from today, 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 learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No.295 of 2016, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

NKS/-

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(Rakesh Kumar, J)