

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70023 of 2018

Arising Out of PS. Case No.-46 Year-2018 Thana- HAYAGHAT District- Darbhanga

Mukesh Sahni, Son of Ram Ashish Sahni, Resident of Village- Rajouli, P.S.
Hayaghat, District- Darbhanga. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 504, 506, 427, 354, 379 and 307 of the Indian Penal Code.

The prosecution case as per the written report of Ram Bharosh Sahni, submitted to the S.H.O. Hayaghat P.S. is to the effect that on 20.05.2018, on the same day at 1.30 P.M., a meeting was being held with regard to a land dispute when the petitioner along with 8 known and 5-6 unknown accused persons came variously armed and started abusing the informant. On protest being made, on the order of Ramashish Sahni, Mukesh Sahni (the petitioner), assaulted with an iron rod



on the head of the informant causing bleeding injury. In the meantime, when the younger brother of the informant, Jitan Kumar Sahni came to rescue him, he was also assaulted by co-accused Shrawan Sahni with hasuli on his neck which hit on his shoulder, causing bleeding injury.

It is submitted by learned counsel for the petitioner that the accusation has been levelled in the background of land dispute and the nature of injury has been found to be simple in nature caused by hard and blunt substance. It is further submitted that there is counter version of occurrence being Haya Ghat P.S. Case No. 49 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner is named in the FIR.

Considering the fact that the accusation has been levelled in the background of land dispute and nature of injury found to be simple caused by hard and blunt substance, there is a counter case registered from the petitioner's side coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of



arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Darbhanga**, in connection with **Haya Ghat P.S. Case No. 46 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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