

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78833 of 2018

Arising Out of PS. Case No.-127 Year-2018 Thana- KATRA District- Muzaffarpur

1. Umesh Sahni and Ors S/o Late Budhan Sahni
2. Eklavya Sahni S/o Sri Umesh Sahni
3. Deoraj Sahni S/o Sri Umesh Sahni
4. Bipin Sahni S/o Sri Umesh Sahni
5. Raja Sahni S/o Sri Mahesh Sahni All R/o-Tehwara, P.S-Katra, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Thakur, Adv. Mr. Ashtiyaque Ahmed , Adv.
For Informant	:	Mr. Sunil Kumar, Adv.
For the Opposite Party/s	:	Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-01-2019 Heard learned counsel for the parties.

Petitioners seek bail in **Katra P.S. Case No.127 of 2018** registered for the offence punishable under Sections 147, 148, 149, 447, 323 and 302 of the Indian Penal Code.

Informant has alleged that while she was talking with her husband in the night sitting at the doorstep then FIR named accused variously armed with Danda and iron rod came at her door and began to assault them and when his husband tried to flee away to save himself he fell near the door of Raju Sahani they assaulted him by lathi, danda and iron rod and thereafter he was taken to hospital where he was referred to PMCH and he



died during the course of treatment.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case due to previous enmity. There is general and omnibus allegation against petitioners. Similarly, situated co-accused person has been granted bail by this Court vide order dated 09.01.2019 in Criminal Miscellaneous No. 78747 of 2018. Petitioners are in custody since 18.06.2018.

Learned counsel for the Informant vehemently opposes the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **A.C.J.M.-cum-Sub Judge 15th, Muzaffarpur**, in connection with **Katra P.s. Case No.127 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at



liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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