

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47988 of 2019

Arising Out of PS. Case No.-142 Year-2018 Thana- SANGRAMPUR District- East
Champaran

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GOPAL SAHANI Son of Late Thakur Sahani Resident of village - Puchhariya
Babu Tola, P.S.- Sangrampur, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Tiwari

For the Opposite Party/s : Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-08-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 147, 148, 341,
323,302 and 504 of the IPC.

The prosecution case, as per the written report of Mukhtar
Sahni, dated 19.08.2018, submitted to the Station House Officer,
Sangrampur Police Station, is to the effect that on 18.08.2018 at
about 8 P.M., the informant was sitting at his door, in the
meantime, all the accused persons including the petitioner came
variously armed and co-accused Balak Kumar assaulted the son
of the informant, Arjun Sahni on his chest, whereas co-accused
Jaleshwar Sahni assaulted him on his head and the petitioner



assaulted the son of the informant on his left leg. It is further alleged that all the accused persons also assaulted the informant and his other son, Radheshyam Kumar. Subsequently, the son of the informant, Arjun Sahni succumbed to the injuries.

It is submitted by learned counsel for the petitioner that the petitioner had no intention to kill the son of the informant, as he assaulted on non-vital part of the son of the informant, Arjun Sahni. Moreover, co-accused Motilal Sahni, who is alleged to have assaulted the other son of the informant, has been granted privilege of anticipatory bail by a co-ordinate Bench of this Court, vide order dated 30.01.2019, passed in Cr. Misc. No. 5251 of 2019.

Learned APP submits that the petitioner is named in the FIR with specific accusation.

Since the petitioner is alleged to have assaulted the deceased, this Court is not inclined to grant him privilege of anticipatory bail.

However, learned Court below may consider the prayer for regular bail of the petitioner without being prejudiced by the order of this Court, if he surrenders within a period of six weeks, in connection with Sangrampur P.S. Case No. 142 of 2018, pending in the Court of learned ACJM-14, Motihari, East



Champaran.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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