

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53007 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- ARER District- Madhubani

=====

SANICHAR SAHNI Son of Bhogendra Sahni Resident of Village - Balain,
P.S.- Arer, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Opposite Party/s : Mr. Binod Kumar

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in connection with Arer P.S.
Case No.25 of 2019 registered for the offence punishable under
Sections 147, 148, 149, 341, 323, 324, 307 and 302 of the
Indian Penal Code.

On the row over playing music on the occasion of Grih
Pravesh of the informant, 8 named accused persons including
the petitioner encircled the nephew of the informant and
petitioner assaulted the nephew and brother of the informant by
means of farsha and other accused persons assaulted other
family members of the informant. His nephew succumbed to
injury.



It is submitted by learned counsel for the petitioner that the petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in this case. As a matter of fact, prosecution party assaulted the accused persons in the occurrence, who sustained injury and in order to save the skin, informant has lodged this false and frivolous case against the petitioner after delay of 8 days. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent and has been languishing in custody since 26.04.2019.

On the other hand, learned counsel for the informant and learned APP for the State vehemently opposed the bail petition and submitted that there is specific allegation against the petitioner of assaulting the deceased by means of farsha. Informant in his further statement and witnesses in paragraphs- 21 and 22 of the case diary have fully supported the case of prosecution. I.O. has found injury on the head of the deceased. Doctor has also found 32 c.m. 'C' shaped stitch wound on the head of the deceased. Hence, the petitioner does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for bail is



hereby rejected. However, learned lower Court is directed to conclude the trial as expeditiously as possible preferably within six months from the date of commitment. However, petitioner may renew his prayer for bail, if the trial is not concluded within stipulated period.

(Prakash Chandra Jaiswal, J)

amit/-

U		T	
---	--	---	--

