

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3674 of 2019**

Arising Out of PS. Case No.-131 Year-2019 Thana- BHAGWANPUR District- Vaishali

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MANOJ KUMAR SAHNI @ MANOJ SAHNI Son of Bhikhari Sahni
Resident of Village-Bafapur Banthu, P.S-Bhagwanpur, District-Vaishali.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Satya Prakash Sinha

For the Respondent/s : Mr.Sadanand Paswan

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

ORAL ORDER

3 01-10-2019 Heard learned counsel for the appellant and
learned Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for bail vide order dated 25.07.2019 passed by learned 1st Addl. Sessions Judge cum Special Judge, Vaishali at Hajipur in Bhagwanpur P.S. Case No. 131 of 2019 registered under Sections 341, 323, 324, 356, 379 and 307/34 of the Indian Penal Code and Sections 3(i)(r)(s) of the SC/ST Act.

Three named accused persons namely Amod Sahni, Amir Sahni and Nitish Kumar slating the son of the informant snatched his cash of Rs.25000/- and mobile and when the informant and others arrived at the house of the aforesaid



Amod Sahni to inquire into the matter, Amod Sahni and his father slated them and on forbidding them from slating, Manoj Sahni assaulted on the temple of the informant by means of rod and other accused persons assaulted other persons.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case. There is case and counter case between the parties. There is no allegation of slating the informant and others in the name of their caste against the appellant. Informant has not sustained any injury in the occurrence. Learned lower court has also not mentioned about finding of any injury on the person of the informant in the impugned order after perusal of the case diary. Appellant has no criminal antecedent and has been languishing in custody since 15.06.2019.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge cum Special Judge, Vaishali at



Hajipur in connection with Bhagwanpur P.S. Case No. 131 of 2019.

Accordingly, the impugned order is set aside and appeal is allowed.

(Prakash Chandra Jaiswal, J)

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