

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58675 of 2019

Arising Out of PS. Case No.-167 Year-2019 Thana- VAISHALI District- Vaishali

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MUKESH SAHANI Son of Deodhari Sahani Resident of Village - Karneji
Bijoy Bhumi, P.S.- (Belsar O.P.), Vaishali, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-09-2019 The petitioner apprehends his arrest in connection with

Vaishali (Belsar) P. S. Case No. 167 of 2019 registered under

Sections 307, 323, 324, 341, 447 and 448/34 of the Indian Penal

Code.

Allegation against the petitioner is that petitioner along
with other accused persons entered into the house of the
informant and one Deodhari Sahani assaulted the informant by
means of knife in his abdomen.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has not committed any offence in the
manner alleged inasmuch as petitioner is *Sarhu* of the informant
and there was a conflict in between the informant and his wife,
and wife of the informant some times used to come to the house
of the petitioner after fight with her husband. Learned counsel



further submits that from perusal of the FIR, it would be evident that all the accused persons, nine in numbers, allegedly entered into the house of the informant and father of this petitioner, Deodhari Sahani, has inflicted knife injury in the abdomen of the informant. He submits that Deodhari Sahani has been arrested and is seeking regular bail.

Learned counsel for the petitioner submits that there is typographical error in the impugned order with regard to the fact that Mukesh Sahani has allegedly assaulted the informant by piercing knife in his abdomen which in fact as per FIR, Deodhari Sahani has inflicted knife injury upon the informant.

Having regard to the submissions made by the parties and taking into consideration the fact that no overt act has been alleged against the petitioner and allegation of assault is upon Deodhari Sahani and not upon this petitioner, accordingly, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Vaishali at Hajipur in connection with Vaishali (Belsar)



P.S.Case No. 167 of 2019; subject to condition as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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