

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5117 of 2019

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

Daroga Sahni Son of Late Sudhi Sahni, Resident at Village - Wafapur Banthu
@ Banthu, P.S.- Bhagwanpur, District - Vaishali at Hajipur.

... .. Appellant

Versus

The State of Bihar.

... .. Respondent

Appearance :

For the Appellant/s : Mr.Anish Chandra, Advocate
For the Respondent/s : Mr.Binay Krishna, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-11-2019 Heard learned counsel for the appellant and learned
Spl.P.P. for the State.

Appellant, in the present appeal, is challenging the order dated 17.10.2019 passed in A.B.P. No. 2528 of 2019 arising out of Bhagwanpur P.S. Case No. 131 of 2019 registered under Sections 341, 323, 324, 356, 379, 307/34 of the Indian Penal Code read with Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

By the impugned order the prayer for anticipatory bail of the appellant has been rejected by the learned Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Vaishali.

Learned counsel for the appellant submits that the allegations are against Amod Kumar Sahani and Bhikhari Sahani and some other accused who have allegedly assaulted



the informant on his head and there is only general and omnibus allegation against this appellant stating that he has also given hand and fist blow to the informant.

Learned Spl.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case, where the thrust of the allegations are against Amod Kumar Sahani and Bhikhari Sahani and some other accused who have allegedly assaulted the informant on his head and there is only general and omnibus allegation against this appellant stating that he has also given hand and fist blow to the informant, considering the nature of the allegations against this appellant, this Court sets aside the impugned order dated 17.10.2019 passed in A.B.P. No. 2528 of 2019 and hereby directs that in the event of his arrest or surrender within a period of four weeks from today, let the appellant above named be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Vaishali in connection with Bhagwanpur P.S. Case No. 131 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e. :



(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

vats/ved

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

