

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32523 of 2020

Arising Out of PS. Case No.-4 Year-2019 Thana- KATRA District- Muzaffarpur

NANTUN SAHNI @ NANTUN KUMAR @ NANTUN SAHANI Son of Sri
Binod Sahni @ Vinod Sahani Resident of Village- Dargah, P.S.- Katra,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13

For the Opposite Party/s : Mr.Navin Kr. Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-12-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 147, 149, 302/34 of the Indian Penal
Code.

Prosecution case, in short, is that the accused persons



including the petitioner assaulted the mother of the informant by means of lathi, danda, fists and kicks, due to which she became unconscious. She was taken to the Hospital for treatment, but on the way she succumbed to the injuries.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.05.2020. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case. General and omnibus allegation has been made. No specific overt act is alleged against the petitioner. The petitioner has been made accused due to mistake of fact.

On behalf of the petitioner, it is further submitted that the petitioner had preferred an anticipatory bail before this Court. During pendency of the said anticipatory bail application, the petitioner was taken into judicial custody and the said anticipatory bail application has become infructuous. The petitioner had filed a mentioning slip for withdrawing the said anticipatory bail application, but the same could not be listed during this lockdown period and in the meantime the present application was filed on behalf of the petitioner seeking regular bail. The petitioner undertakes to withdraw the said anticipatory



bail application, whenever it is listed.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. 14th, Muzaffarpur in connection with Katra P.S. case No.4 of 2019.

(Sudhir Singh, J)

Narendra/-

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