

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24596 of 2021

Arising Out of PS. Case No.-5 Year-2021 Thana- KATRA District- Muzaffarpur

1. GANESH SAHNI Son of Late Achhelal Sahni Resident of Village- Bisautha, P.S.- Katra, District- Muzaffarpur.
2. KAMLESH SAHNI Son of Ganesh Sahni Resident of Village- Bisautha, P.S.- Katra, District- Muzaffarpur.

... .. Petitioners.

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-08-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks of resumption of normall court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners seek bail in a case registered for the offence punishable under Section 341, 323, 324, 354 & 504/34 and Section 37(c) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioners is that both of them in drunken stage abused the informant and also assaulted



her by means of fist and slap. Petitioner no.2 is said to have bite on her cheek and she became injured.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. They have been falsely implicated in this case due to dirty village politics. As a matter of fact, petitioners and informant are own pattidar. On the relevant time some altercation took place in between them arising out of a trivial dispute in between the children and the informant fell down on a bamboo and taking advantage of that she falsely implicated the petitioners in this false and concocted case. As per the injury report, the injury sustained by the victim is simple in nature. They have no criminal antecedent and have been languishing in custody since 04.01.2021.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Katra P.S. Case No.05 of 2021, subject to the following conditions:

(1) that one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to



how he is related with the petitioners. He will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioners is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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