

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34395 of 2021

Arising Out of PS. Case No.-125 Year-2018 Thana- KALYANPUR District- Samastipur

Shiv Narayan Sahni Son of Basudev Sahni Resident of Village - Jhahuri, P.S.-
Kalyanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar No1, Advocate
For the Informant	:	Mr. Dilip Kumar Roy, Advocate
For the Opposite Party/s	:	Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-12-2021 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kalyanpur P.S. Case No. 125 of 2018 instituted for the offences
under Sections 341, 323, 325, 326, 386, 504, 506 and 34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 21.01.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that from
bare perusal of the allegation as alleged in the F.I.R. it would
manifest that the informant alleges that the son of this petitioner
eloped with the daughter of the informant for which a case was



filed thereafter it is alleged that petitioner came to the house of the informant along with his another son and caught the informant and thereafter it is alleged that this petitioner stabbed the informant in his stomach. Learned counsel further submits that it is not in dispute that the son of this petitioner has eloped with the daughter of the informant as such there is animosity between the family.

The learned counsel for the petitioner submits that the F.I.R. does not disclose the reason for the occurrence since the son of this petitioner had already eloped with the daughter of the informant as such there was no occasion for this petitioner to go to the house of the informant and stab him. Learned counsel submits that the occurrence has taken place in some other manner and the petitioner has been implicated. Learned counsel further submits that even if it is presumed without accepting that petitioner has committed the occurrence then he has already remained in custody for nearly a year and is a person with clean antecedent.

Learned counsel for the informant and learned A.P.P. for the State vehemently oppose the prayer for regular bail of the petitioner. Learned counsel for the informant submits that it is because of the dispute between the family that the boy and the



girl eloped and married and thus this occurrence took place as the petitioner wanted to teach the informant a lesson.

Considering the fact that the petitioner is in custody since 21.01.2021, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Kalyanpur P.S. Case No. 125 of 2018 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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