

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36633 of 2020

Arising Out of PS. Case No.-15 Year-2019 Thana- ANGARGHAT District- Samastipur

Kundan Sahani (Male), aged about 21 years, S/o Kusheshwar Sahani Resident
of Chaita Sagma, P.S.- Angarghat, District- Samatipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirityunjay Kumar, Advocate
For the State : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 01-07-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Mirityunjay Kumar, learned counsel for the petitioner and Mr. Akbar Ali, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner apprehends arrest in connection with Angarghat PS Case No. 15 of 2019 dated 25.02.2019, instituted under Sections 147/149/341/323/307/354/379/506/504 of the Indian Penal Code

4. The allegation against the petitioner and his other family members is that they assaulted the informant and her husband.

5. Learned counsel for the petitioner submitted that the husband of the informant is the own brother of the father of the



petitioner and there is land dispute but later on the parties have compromised. It was submitted that from the side of the petitioner a complaint case was filed but that has also been compromised. Learned counsel submitted that the petitioner has no criminal antecedent.

6. Learned APP submitted that the petitioner being the nephew of the husband of the informant had assaulted her and his uncle.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-2nd, Dalsingsarai, Samastipur in Angarghat PS Case No. 15 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond and give undertaking with regard to good behaviour of the petitioner, and (iii) that the petitioner shall cooperate with the Court and the



police/prosecution. Any violation of the terms and conditions of the bonds or the undertaking or non-cooperation shall lead to cancellation of his bail bonds.

8. It shall also be open for the prosecution to bring any violation of the foregoing conditions of bail by the petitioner, to the notice of the Court concerned, which shall take immediate action on the same after giving opportunity of hearing to the petitioner.

9. The petition stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/-

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