

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32289 of 2020

Arising Out of PS. Case No.-107 Year-2020 Thana- MINAPUR District- Muzaffarpur

1. AKLU SAHNI Son of Late Sarvan Sahni Resident of Village - Goshaeepur, Malahitoli, P.S. - Minapur, District - Muzaffarpur.
2. Dashee Sahni @ Dashai Sahni Son of Late Sarvan Sahni Resident of Village - Goshaeepur, Malahitoli, P.S. - Minapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Arvind Kumar Pandey (APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 05-02-2021 Heard learned counsel for the parties.

This application for grant of regular bail arises out of Minapur P.S. Case No. 107 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 324, 307, 302 and 504 of the Indian Penal Code.

The persons belonging to the same family including female members and others have been made accused in the F.I.R. from which it transpires that apparently there was land dispute between the parties.

Learned counsel appearing on behalf of the petitioner has submitted that though there is allegation against six persons named in the F.I.R. of having dragged the deceased and



assaulted him, such allegation is not against these petitioners. As regards, other persons named in the F.I.R. including wife of petitioner no. 1, there is allegation in the F.I.R. of having assaulted the deceased variously. Allegedly, the informant's son was assaulted with a *farsa* leading to grievous injury and his subsequent death. He has argued that name of petitioner no. 1 has been disclosed by the informant in her further statement during the course of investigation, though she claims to be an eye witness. He further submits that the postmortem report does not support the case of the prosecution, as disclosed in the F.I.R. The petitioner no. 1 is in custody since 03.04.2020 and petitioner no. 2 is in custody since 04.06.2020. They do not have any criminal antecedent, he contends.

Learned Addl. Public Prosecutor appearing on behalf of the State has not been able to counter the submissions advanced on behalf of the petitioner.

Considering the nature of accusation, as disclosed in the F.I.R., and materials available in the case diary, in my opinion, a case for grant of regular bail is made out.

This application is accordingly allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each



with two sureties of the like amount each to the satisfaction of
the learned C.J.M., Muzaffarpur in Minapur P.S. Case No. 107
of 2020.

AKASH/-
(Chakradhari Sharan Singh, J)

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