

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38924 of 2020

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

BIJULI SAHANI @ BIJULI SAHNI SON OF LATE BASUDEO SAHANI
RESIDENT OF VILLAGE - JHAHURI, PS- KALYANPUR DIST-
SAMASTIPUR

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Mukesh Kumar No1
For the Opposite Party/s :	Mr.Anuj Kumar Shrivastava
	Mr. Dilip Kumar Roy

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 12-07-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 22.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection with Kalyanpur P.S. Case no. 125 of 2018, registered under Sections 323, 325, 326, 341, 386, 504 and 506 of the Indian Penal Code.

The accusation is that Dilip Sahni lodged the case regarding kidnapping of his daughter against his villager, namely, Kamlesh Kumar, son of Shivnarayan Sahni, resident of



village-Jhahuri, P.S. Kalyanpur, District-Samastipur. On 19.07.2018, in the day, informant Dilip Sahni has gone to attend call of nature near dam. At that time, Shivnarayan Sahni and his brother Bijuli Sahani (petitioner) caught hold him saying that why he has lodged the case and asked him to withdraw the same otherwise he will be killed. In the meantime, Shivnarayan Sahani asked to his brother Bijuli Sahani (Petitioner) to caught hold and Shivnarayan Sahani gave knife blow at his belly causing injury, thereafter, both fled away from there. On raising alarm, the villagers rushed and informant Dilip Sahani rushed to Kalyanpur P.H.C, from where he was referred to Sadar Hospital, Samastipur, from where he was referred to D.M.C.H. Darbhanga for better treatment.

Learned counsel for the petitioner submits that it would appear from F.I.R. that petitioner is not assailant of the deceased, rather, the injury is said to be caused by Shivnarayan Sahni, brother of petitioner. The petitioner has falsely been implicated in this case being brother of Shivnarayan Sahni.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail



bond of Rs. 10,000/- (Ten thousand) 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 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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