

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9252 of 2021

Arising Out of PS. Case No.-77 Year-2020 Thana- LALGANJ District- Vaishali

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MANISH KUMAR @ MANISH SAHNI SON OF SONELAL SAHNI
Resident of Village - Madhusudan pakari (Maksudan Pakari), P.s.- Lalganj,
dist.- Vaishali. at Hajipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Chandra, Adv.

For the Opposite Party/s : Mr.Anuj Kr. Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-06-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceeding. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner seeks bail in connection with Lalganj P.S.
Case No.77 of 2020 registered for the offence punishable under
Sections 147, 148, 149, 341, 324, 307, 302, 504, 506 of the
Indian Penal Code.

As per the prosecution case, while the informant was
sleeping in his house, woke up on some alarm and saw that his



uncles Vakil Sahani and Rajballabh Sahani were being assaulted by the petitioner and other accused persons with a chopper meant for cutting meat and iron rod. When the informant and his brother-in-law went to save, the accused persons also assaulted them. His uncles were seriously injured. It is further alleged that there was some dispute on the eve of Chhath Puja and for that Baleshwar Sahani and Mantu Sahani took Vakil Sahani to their house and they began to assault. When Rajballabh Sahani went to save, he was also assaulted. Rajballabh Sahani died during the course of treatment.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has been falsely implicated in this case due to enmity. No such occurrence as alleged ever took place. There is a land dispute between the parties and for the same incident a case has also been filed by wife of one of the co-accused. Petitioner's side have also sustained injuries. There is no specific allegation against the petitioner rather the allegation is general and omnibus in nature. Similarly situated co-accused namely Ram Sewak Sahni @ Sewak Sahni has already been granted bail vide order dated 12.11.2020 passed by a co-ordinate Bench of this Court in Cr. Misc. No.25515 of 2020. Other co-accused persons have also been granted bail vide



Cr.Misc. No.28195 of 2020 dated 08.01.2021 and Cr.Misc. No.30738 of 2020 dated 21.12.2020 by co-ordinate Benches of this court. The petitioner has one criminal antecedent and has been languishing in custody since 01.04.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, since the other co-accused persons have been granted bail and the petitioner has undergone custody of more than one year, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IX, Vaishali at Hajipur in connection with Lalganj P.S. Case No.77 of 2020.

(Anjani Kumar Sharan, J)

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