

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 6635 of 2022**

Arising Out of PS. Case No.-235 Year-2019 Thana- HARLAKHI District- Madhubani

RAKESH SAHNI Son of Sri Kishori Sahni Resident of Village - Harsuwar,
P.O.- Hissar, P.S. - Harlakhi, District - Madhubani.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 7328 of 2022

Arising Out of PS. Case No.-235 Year-2019 Thana- HARLAKHI District- Madhubani

SHARWAN PANDIT SON OF SRI INDAL PANDIT R/O VILLAGE-
HARSUWAR, P.O.- HISSAR, P.S.- HARLAKHI, DISTRICT-
MADHUBANI

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 6635 of 2022)

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Abhay Kumar Roy

(In CRIMINAL MISCELLANEOUS No. 7328 of 2022)

For the Petitioner/s : Mr.Sarva Deo Singh

For the Opposite Party/s : Mr.Rajiv Nayan

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 24-08-2022 Learned counsel for the petitioners is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioners as well as

the learned APP for the State.



The petitioners apprehend their arrest in connection with Harlakhi P.S. Case No. 235 of 2019, registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

As per allegation, Mr. Ram Binod Thakur who was father of the informant was badly assaulted by the accused persons named in the FIR and five unknown persons with *lathi*, iron rod etc. He died during treatment.

The learned counsel for the petitioners has submitted that the informant is not an eye witness. The eye witness is Sukhdeo Ram and he did not name any of the accused persons except petitioner Rakesh Sahni. He has submitted further that the case of petitioner Sharwan Pandit is on similar footing of Kishori Sahni who has been granted anticipatory bail by this Court in Cr. Misc. No. 20801 of 2020.

Considering the above-mentioned facts and circumstances, the anticipatory bail of petitioner Rakesh Sahani is **rejected**.

So far as petitioner Sharwan Pandit is concerned, let him, in the event of his arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of learned S.D.J.M.,
Benipatti, Madhubani in connection with Harlakhi P.S. Case No.
235 of 2019, subject to the conditions as laid down under
Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the
petitioners within the stipulated time provided in para-1
hereinabove, failing which the matter shall be brought to the
notice of this Court.

(Nawneet Kumar Pandey, J)

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