

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24535 of 2021

Arising Out of PS. Case No.-244 Year-2020 Thana- MADHUBAN District- East Champaran

1. MANGAL SAHNI SON OF FAKIRA SAHNI R/O VILLAGE-DHOBAULIA, P.S.- MADHUBAN, DISTRICT- EAST CHAMPARAN.
2. MANISH SAHNI SON OF BHUTA SAHNI R/O VILLAGE-DHOBAULIA, P.S.- MADHUBAN, DISTRICT- EAST CHAMPARAN.
3. RESHMI DEVI WIFE OF MANGAL SAHNI R/O VILLAGE-DHOBAULIA, P.S.- MADHUBAN, DISTRICT- EAST CHAMPARAN.
4. SRIPATI KUMARI DAUGHTER OF MANGAL SAHNI R/O VILLAGE-DHOBAULIA, P.S.- MADHUBAN, DISTRICT- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kr @ Dr. Amrendra Kr. Adv.
For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 03-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in connection with Madhuban P.S. Case No. 244 of 2020 registered for the offence under Sections 302/34 of the Indian Penal Code.

The son of the informant is said to have been assaulted by the accused persons with various weapons as a



result of which he sustained injuries and he died later.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. In fact, altogether six persons have been made accused in this case on the basis of suspicion only, which is evident from the F.I.R. itself. There is no eye witness to the alleged occurrence. As a matter of fact, the petitioner, namely, Rashmi Devi has earlier instituted an F.I.R. being Madhuban P.S. case No. 245 of 2020 against the informant and in the garb of the aforesaid case, this false case has been instituted against the petitioners. The petitioners are rotting in judicial custody since 17.08.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the, above named, petitioners 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 learned C.J.M.- East Champaran in connection with Madhuban P.S. Case No. 244 of 2020 with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall



be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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