

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36877 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- JALE District- Darbhanga

RAJA SAHNI @ RAHUL KUMAR S/O DINESH SAHNI (DJ WALA)
Resident of village- Rampur Pachadi, P.S.- Pupri, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha,Advocate
For the Opposite Party/s : Mr.Aditya Narayan Singh.1,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID 19.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is an accused in connection with Jalley
P.S. Case No. 40 of 2022 under Sections 341, 323, 427, 302 and
504/34 of the Indian Penal Code.

As per the prosecution story, on the occasion of
marriage ceremony, there had been some altercation on playing
of D.J. music by two sides. It is alleged that the accused persons
arrived at the informant's house and firstly abused and later
assaulted his elder son Bikesh Kumar Das who received injury
on his neck and head and his younger son Nitesh Kumar was



also assaulted with iron 'rod' on his head. His younger son fainted and was taken to DMCH, Darbhanga for treatment but for better treatment he was referred to PMCH, Patna. Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that the specific allegation is against Manjeet Sahni of assaulting the informant's son which led to his unfortunate death. So far as the present petitioner is concerned, he is only 18 years old son of the D.J. owner and he was assigned job of playing D.J. in the marriage and just because of his presence, he has been implicated in this case and has suffered a lot by being in custody since 23.04.2022, though he has no criminal antecedent.

Considering the fact that the specific allegation of assaulting is on Manjeet Sahni, nothing specific has come against the petitioner herein and he is 18 years old, is in custody since 23.04.2022, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M. I, Darbhanga in connection with Jalley P.S. Case No. 40 of 2022, subject to the following conditions:-



(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Neha/-

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