

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40639 of 2022**

Arising Out of PS. Case No.-47 Year-2022 Thana- HATHAURI District- Muzaffarpur

KEDAR SAHNI SON OF ARUN KISHORE SAHNI R/O VILLAGE-
RUDHA SANATHI, P.S.- BOCHAHAN, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-10-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

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
Hathauri P.S. Case No. 47 of 2022 under Sections 147, 149,
341, 323, 307, 353, 448, 506 and 509 of the Indian Penal Code,
section 9 of the Loudspeaker Act, section 3/4 of Epidemic Act as
well as 3(i) (r) (s) of the SC/ST Act.

As per the prosecution story, the petitioner assembled
in front of the Hathauri police station and shouted slogans
causing public nuisance and further abused the informant, the
SHO of the said police station, and threatened him of dire
consequences if he does not adhere to his dictates. Accordingly,



the FIR was lodged.

Learned counsel for the petitioner has taken this Court to the document that has been annexed as Annexure-2 to show that he is a Ward Councillor of the said place and he had given written information to the local authorities for peaceful protest against the concerned police station and which infuriated the SHO leading to the present FIR for which he has already suffered by being in custody since 11.02.2022 (as stated in paragraph-12 of the bail application).

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 Judicial Magistrate 1st Class cum A.M. - 3rd, Muzaffarpur in connection with B.P. No. 958 of 2022 arising out of Hathauri P.S. Case No. 47 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/her bail bond 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;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Neha-

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