

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50874 of 2021**

Arising Out of PS. Case No.-25 Year-2019 Thana- ARER District- Madhubani

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1. Pappu Sahni @ Pappu Kumar Sahni, S/O Sanichar Sahni R/O Village-Balain, P.S.- Arer, District- Madhubani.
  2. Akhilesh Sahni, S/O Choudhary Sahni, R/O Village -Balain, P.S.- Arer, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Miss Kusum Rani, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      30-03-2022              Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners seek regular bail, who are in custody in connection with Arer P.S. Case No. 25 of 2019 for the offence under Sections 148, 149, 341, 323, 324, 307, 302 of the Indian Penal Code.

The prosecution case is that on the alleged date of occurrence when worship of Sangkirtan was being held on 15.03.2019 at about 10.30 night, all accused persons surrounded



the nephew of the informant due to hanging of Speaker and all the accused persons including these two petitioners were persisting to remove the speaker and started Mar-Pit and on the protest made by the informant and his nephew all the accused persons caused injury to all the family members by various weapons, which resulted into the death of Bisheshwar Sahni.

It is contended on behalf of learned counsel for the petitioner that there is general and omnibus allegation against these two petitioners and one of the co-accused, namely, Sanichar Sahni, has already been granted regular bail by a co-ordinate Bench of this Court in Cr. Misc. No. 29291 of 2020 vide order dated 08.02.2021 (Annexure-2). It is also submitted that the occurrence took place on 15.03.2019 but the F.I.R. was lodged after a delay of 8 days.

Learned APP for the State opposes the bail application.

Taking into the consideration the submissions made on behalf of the petitioners and the materials available on record, as indicated above, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-X, Madhubani



in connection with S.T. No. 163 of 2021, I.A. No. 01 of 2021,  
arising out of Arer P.S. Case No. 25 of 2019.

It is also submitted by the learned counsel for the  
petitioners at the bar that the trial is going on and three  
witnesses have already been examined and further witnesses are  
yet to be examined, hence this Court directs that both the  
petitioners will remain physically present on each and every  
date in the trial and in case of non-appearance of two  
consecutive dates without any cogent reason, the Court below  
will be at liberty to take steps for cancellation their bail bonds.

**(Harish Kumar, J)**

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