

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48815 of 2022

Arising Out of PS. Case No.-93 Year-2022 Thana- KALYANPUR District- East Champaran

1. RANJAN KUMAR, Son of Ramadhar Sahni, R/V- Siswa Kharar, P.S- Kalyanpur, Dist- East Champaran
2. Mantu Kumar Sahni @ Mantu Kumar, Son of Ramadhar Sahni, R/V- Siswa Kharar, P.S- Kalyanpur, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rashmi Jha, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-12-2022 Today being Friday, matters are being taken up through virtual mode, as per current procedure for hearing.

2. Heard learned counsel for the petitioners and the learned APP for the State.

3. The petitioners seek bail in connection with Kalyanpur P.S. Case No.93 of 2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 325, 458, 504, 385, 506 and 379 of the Indian Penal Code.

4. The petitioners are brothers and the allegation is that they have assaulted the informant and his family members for coercing them to pay *Rangdari* Rs.20,000/- on the occasion of *Holi* festival.



5. Learned counsel for the petitioner submits that the petitioners have no criminal antecedents. They are victims of a false case. Actually the case has been lodged based on scuffle between the parties, which occurred since the petitioners' father was demanding his salary for work discharged in the college as an 'Accountant'. The informant of this case, who happens to be the Principal, was resisting the claim and, therefore, over this trivial issue the scuffle occurred and has led to lodging of the case against the petitioners. Counter version of the case is the F.I.R. lodged by the petitioners' side, Kalyanpur P.S. Case No.101 of 2022 (Annexure-2). Both parties have sustained injuries. And the petitioners have remained now in custody since 25.06.2022, with no criminal antecedents.

6. Learned APP has opposed the prayer for bail.

7. Considering the counter version of the case, the submissions on behalf of the petitioners, the fact that they have no antecedents, this Court is inclined to allow the prayer for bail.

8. Prayer for bail is allowed.

9. Accordingly, let the petitioners, above named, 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 the learned Chief Judicial Magistrate,
Motihari, District-West Champaran, in connection with
Kalyanpur P.S. Case No.93 of 2022 , subject to the following
conditions:

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

10. This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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