

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8819 of 2023

Arising Out of PS. Case No.-143 Year-2022 Thana- KOTWA District- East Champaran

DEEPAK KUMAR SAHNI @ DEEPAK SAHNI S/O WAKIL SAHNI Resident of Village- Malahi Tola Bhopatipur, P.S.- Kotwa, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Mukhiya, Advocate

For the Opposite Party/s: Mr. Bharat Bhushan, Addl. Public Prosecutor, 156

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under Sections 147, 148, 149, 323, 324, 440, 325, 353, 332, 307, 427, 447, 448, 504 and 506/34 of the Indian Penal Code.

Prosecution story, in short, is that after the post-mortem of the deceased Ritesh Raj, some miscreants keeping the dead body on road created nuisance. When the informant along with other police personnel reached there and tried to pacify the matter, the assembled accused persons assaulted the police personnel.

Learned counsel for the petitioner submits that the al-



legation against the petitioner is general and omnibus in nature. There is no specific over act alleged against the petitioner. The injury sustained by the informant and police personnel is simple in nature. Similarly situated co-accused persons namely, Sanjay Yadav and Krishna Kumar Sah have been granted bail by the co-ordinate Bench of this Court in Cr. Misc. No. 73246 of 2022. The petitioner claims clean antecedent.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged 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 Additional Chief Judicial Magistrate, East Champaran in connection with Kotwa (Bhopatpur) P.S. Case No. 143 of 2022 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Alok Verma/-

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