

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12318 of 2023

Arising Out of PS. Case No.-97 Year-2022 Thana- SINGHWARA District- Darbhanga

1. Baljeet Sahni, S/O Pradeep Sahani, Resident Of Village- Sanahpur Bujurg, P.S.- Singhwara, District- Darbhanga.
2. Ranjit Sahani, S/O Pradeep Sahani, Resident Of Village- Sanahpur Bujurg, P.S.- Singhwara, District- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Advocate
For the State	:	Mr. Ram Sumiran Rai, APP
For the Informant	:	Mr. Pankaj Kr. Das, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioners and learned
APP for the State as well as learned counsel for the informant.

2. In the present case, the petitioners seek bail in connection with Singhwara P.S. Case No. 97 of 2022 registered for the alleged offences under Sections 147, 148, 149, 341, 323, 307, 354(B), 380, 427, 452 of the Indian Penal Code and later on Section 302 of IPC has added.

3. As per prosecution case, petitioners and other co-accused persons entered into the house of the informant and they were armed with pistol, iron rod and knife etc. The allegations against petitioner Ranjit Sahni is that he assaulted the father of the informant with iron rod on his head and also



assaulted the informant with same iron rod, causing injuries to them. There is further allegation of assault against the petitioners and other co-accused persons apart from taking away cash and ornaments from the house of the informant. The father of the informant succumbed to his injuries after three months of the occurrence.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The present case is counter version of Singhwara P.S. Case No. 107 of 2022 instituted on the basis of fardbeyan of the father of the petitioner. Father of the petitioner was assaulted by the informant side. The informant received injuries in the brick batting made by the villagers. Further, there is no specific allegation against petitioner Baljeet Sahni as he is stated to be only a member of the mob. Learned counsel further submits that it is not believable that father of the informant died due to injuries sustained in the alleged occurrence after more than three months. The petitioners are in custody since 24.08.2022 and charge-sheet has been submitted.

5. Learned APP as well as learned counsel appearing on behalf of the informant oppose the submission made on behalf of the petitioners for grant of bail. Learned counsel for



the informant submits that the father of the informant died due to assault and post-mortem report also shows that cause of death was craniocerebral damage and its complications resulting from injury caused by hard and blunt object. Learned counsel further submits that counter case is an afterthought and it has been lodged after 15 days.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there is specific allegation of assault against **petitioner no.2 Ranjit Sahni**, I am not inclined to grant bail to **petitioner no.2 Ranjit Sahni**.

7. Hence, the prayer for bail of **petitioner no.2 Ranjit Sahni** is rejected.

8. However, considering the non-specific nature of allegation against **petitioner no.1 Baljeet Sahni**, he is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Darbhanga in connection with Singhwara P.S. Case No. 97 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the **petitioner no.1 Baljeet Sahni**.



(ii) **Petitioner no.1 Baljeet Sahni** will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of **petitioner no.1 Baljeet Sahni** will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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