

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37297 of 2023

Arising Out of PS. Case No.-262 Year-2019 Thana- PIPRA District- East Champaran

LAXMAN SAHANI @ LAKSHMAN SAHANI SON OF BHUKAL
SAHANI RESIDENT OF VILLAGE - KOIRGAWAN, POLICE STATION -
PIPRA, DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-06-2023 Heard the parties.

The petitioner is accused in connection with Pipra Case No. 262 of 2019 under Sections 341, 342, 147, 323, 324, 325, 467, 379, 448, 354, 307, 504 and 506 of the Indian Penal Code lodged on 29.07.2019 by the informant Ganganath Sahni.

As per the prosecution story, all the named accuseds variously armed attacked the family of the informant and in the process, allegation against the petitioner no. 2 is of giving '*farsa*' blow on the head of Gautam Kumar Nishad whereas the petitioner no. 3 gave '*lathi*' blow on his left hand. So far as petitioner no. 1 is concerned, he has only been alleged to be part of the mob. Subsequent allegation is of outraging the modesty of the female members of the family as also taking away



valuables worth Rs. 80,000/-.

Earlier prayer for bail of the petitioner was rejected vide an order dated 16.12.2022 passed in Cr. Misc. NO. 56570 of 2022.

Considering the fact that the petitioner is in custody since 13.06.2022 (as stated in paragraph- 10 of the bail petition), this Court is inclined to grant him privilege of bail.

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 learned S.D.J.M., Sadar at Motihari, East Champaran in connection with Pipra P.S. Case No. 262 of 2019, 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 appear before the concerned police station every fortnight for next six months to mark attendance;



(iv) 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;

(v) 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.

(Rajiv Roy, J)

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