

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53906 of 2023

Arising Out of PS. Case No.-397 Year-2019 Thana- KANTI District- Muzaffarpur

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SANJAY KUMAR @ SANJAY SAHNI S/O RAM KUMAR SAHNI R/O
VILLAGE- DHAMAULI, PS- KANTI DIST- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 23-08-2023 1. Heard the learned counsel for the petitioner and the learned A.P.P. for the State.
2. This is an application for grant of anticipatory bail in connection with Kanti PS case no. 397 of 2019, registered for the offences punishable under Section 307 and other allied sections of the Indian Penal Code.
3. The allegation is regarding unknown miscreants having called the informant on his mobile phone repeatedly and abused him, however, when the informant had protested, the accused persons including the petitioner herein had arrived at the house of the informant and assaulted the informant, his nephew and his wife. As far as the petitioner is concerned, he is stated to have assaulted the wife of the informant on her head by a sword.



4. The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that there is no injury report on record of the case, hence, obviously, the wife of the informant has not received any grievous injury, thus benefit of doubt may be given to the petitioner for the purposes of grant of anticipatory bail.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that it is the specific averment of the learned counsel for the petitioner that the wife of the informant has not received any grievous injury, though I deem it fit and appropriate to direct for admitting the petitioner to the privilege of anticipatory bail, however subject to verification of the injury report by the learned court of J.M.-Ist class, Muzaffarpur (West) in connection with Kanti PS case no. 397 of 2019, to ascertain as to whether any grievous injury has been sustained by the wife of the informant or not and



further subject to such other conditions as may be deemed fit and proper to be imposed by the learned trial court for the purposes of grant of anticipatory bail to the petitioner herein.

7. The present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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