

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64575 of 2023

Arising Out of PS. Case No.-201 Year-2023 Thana- CHHAURADANO District- East
Champaran

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Pannalal Sahani Son Of Late Dhanraj Sahani Resident Of Village - Bhagri
Tola, P.S. - Chhauradano, District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Krishna Kant Singh, Advocate
For the State	:	Mr.Nitya Nand Tiwary, APP
Informant	:	Ms. Rashmi Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Chhauradano P.S. Case No.201/2023, lodged on 26.06.2023
under Sections 341, 323, 308, 379, 504, 34 of the Indian Penal
Code.

3. As per the prosecution case, total 10 persons
including the petitioner were made accused in the present case.
The allegation against co-accused, Nagendra Sahni is that he has
assaulted the informant by a bamboo on his head and backside.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. From the
content of the FIR, it transpires that specific allegation of



assaulting the informant is against co-accused, Nagendra Rai whereas allegation against the petitioner and other co-caused persons is omnibus and general. Counsel for the petitioner further submits that the informant and petitioner's side both are resident of the same village and on a petty issue the dispute has arisen between the parties and for the same date and place of occurrence, there were two criminal cases lodged. The petitioner's side has lodged Chhauradano P.S. Case NO. 205 of 2023 whereas the informant's side has lodged the present case being Chhauradano P.S. Case No. 201/2023. He further submits that the petitioner is accused in one more criminal case in which he is persuading bail and is in custody since 27.06.2023.

5. Learned APP for the State and the informant opposes the prayer for bail of the petitioner and have submitted that the allegation of assault is their against other accuse as well as against the petitioner and there is case and counter between them.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Raxaul,



East Champaran in connection with Chhauradano P.S. Case No. 201/2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *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 bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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.

(Dr. Anshuman, J)

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