

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70770 of 2023

Arising Out of PS. Case No.-315 Year-2022 Thana- DARIYAPUR District- Saran

1. RAJU SAHANI Son of Dhrup Sahni @ Dhuruw Sahni R/o vill - Jagdishpur, P.S. - Dariyapur, Distt. - Saran
2. Dhrup Sahni @ Dhuruw Sahani @ Dhruv Sahani Son of Late Padarath Sahni R/o vill - Jagdishpur, P.S. - Dariyapur, Distt. - Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Dariyapur P.S. Case No. 315 of 2022 registered on 07.06.2022
lodged under Sections 341, 323, 307, 447, 504, 506/34 I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against five named accused persons including the present
petitioners. Petitioner no. 1 has assaulted the informant's son
upon the order of Petitioner No. 2 by iron rod due to which
injury has been caused.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that petitioner



and the informant are the residents of the same village and for occurrence of dispute on 28.05.2022, there are case and counter case filed from the both side. Informant side has filed Dariyapur P.S. Case No. 315 of 2022 whereas the case filed by the petitioner side is Dariyapur P.S. Case No. 314 of 2022. Counsel submits that this dispute has occurred on very pity issue i.e. on grazing of goats in the locality. Counsel further submits that petitioners are in custody since 09.08.2023 having clean antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners 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 Additional Chief Judicial Magistrate XIIIth, Saran at Chapra in connection with Dariyapur P.S. Case No. 315 of 2022 , subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his



bona fide;

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

(iv) the petitioners 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 petitioners 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.

7. With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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