

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72393 of 2022

Arising Out of PS. Case No.-397 Year-2021 Thana- LALGANJ District- Vaishali

Chinak Sahni @ Ranjit Sahni Son of Deeplal Sahani Resident of Village-
Salempur, P.S.- Lalganj, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Shahabuddin Azeem @ S. Azeem, APP
For the Informant	:	Mr. Manish Chandra Gandhi, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-05-2023 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the informant as well as learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
01.11.2022 in connection with Lalganj P.S. Case No. 397 of
2021, F.I.R. dated 06.11.2021 for the offences punishable under
Sections 302/34 of the Indian Penal Code.

According to prosecution case, the father of the
informant had gone to reap grass and when he was returning,
then the petitioner along with other accused person assaulted



him and later on he died during treatment.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that the allegation as alleged against the petitioner is that he and one other accused person have assaulted the father of the informant by means of lathi and danda due to which the informant's father succumbed to injury. He further submits that there is no specific allegation of assault or overt act rather there is general and omnibus allegation against the petitioner and the co-accused person. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Chinak Sahani @ Ranjait Sahani has been granted bail by a co-ordinate Bench of this Court vide order dated 10.08.2022 passed in Cr. Misc. No. 14566 of 2022. The petitioner is in custody since 01.11.2022.

The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the injury report also suggest that there is multiple injury found on the body of the deceased. They further submits that the petitioner carries 2 criminal antecedents other than the



present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, II, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 397 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the



court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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