

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10321 of 2024

Arising Out of PS. Case No.-291 Year-2023 Thana- AURAI District- Muzaffarpur

Laxman Sahni @ Lakshman Sahni S/o Munni Lal Sahni R/o Vill - Madhuban
Beshi, P.S. - Aurai, Dist. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 19-04-2024 Heard Mr. Hari Kishore Thakur, learned Counsel
for the petitioner and Mr. Jitendra Kumar Singh, learned APP
for the State.

2. The petitioner is an accused in connection with Aurai P.S. Case No. 291 of 2023 registered for the offences under sections 147, 149, 341, 323, 325, 307, 379, 504 and 506 of the Indian Penal Code lodged on 10.12.2023 by the informant, Sujeet Kumar.

3. As per the prosecution story, the informant alleged that due to land dispute, the accused persons came to the place of his aunt and this petitioner hit him with the butt of his rifle on his head. When the family members came to his rescue, they were beaten by the accused persons causing injuries to Rahul Kumar , Ajit Kumar and Saheb Sahani. The further allegation of



snatching of the chain from his mother is attributed to Manoj Sahani. Accordingly, the F.I.R.

4. Learned Counsel for the petitioner submits that allegation of assaulting other family members is/are attributed to the accused named in the F.I.R. and concede that they have suffered injuries. So far as this petitioner is concerned, only allegation is of using rifle butt to hit the head and the entire case diary, the Injury Report of the informant- Sujeet Kumar is unavailable. He further submits that the petitioner used to have his livelihood in Chattisgarh, had to come to attend a marriage and was implicated.

5. In this case, a co-ordinate bench had called for a case diary/ injury report and learned APP has gone through it and as per it, the injury report of informant is not available.

6. Further in paragraph-45, the informant has informed the police that he did not had his NCCT scan of brain.

7. The last submission is that he do not have criminal antecedent.

8. Taking into account the aforesaid submissions put forward by the learned Counsel for the petitioner as also that he do not have criminal antecedent, the injury report of the informant is not available, assault to the other family members



is/are attributed to the other accused persons, this Court is inclined to extend him privilege of bail.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned J.M.-1st Class, Muzaffarpur, East in connection with Aurai P.S. Case No. 291 of 2023, 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 *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 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)

Neha/-

U		T	
---	--	---	--

