

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20468 of 2024

Arising Out of PS. Case No.-31 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

Jay Karan Sahani Son of Sakindra Sahani Resident of Village- Majhauri
Gachhi Tola, P.S.-Bochaha, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Bochaha PS Case No. 31 of 2020 dated 01-02-2020, instituted
under Sections 341,323, 324, 307, 379, 504,506 and 34 of the
IPC.

3. Prosecution case in short is that while the informant
was returning home on his motorcycle, accused persons
overtook his motorcycle. It is alleged that the petitioner
inflicted him with iron rod, on account of which, he sustained
injury on his left hand. The other co- accused persons assaulted
him with fists and legs. The accused persons have also snatched



his gold ornaments, mobile phone and Rs. 15,000/-.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that it is a case of single blow and petitioner did not try to repeat the blow, which is evident from the FIR itself. It is further submitted that the informant fell down from the motorcycle and got injury. The injury report of the informant, which is annexed as Annexure-3 to the bail petition, does not corroborate the allegation of alleged assault. No eye witness has supported the allegation against the petitioner. Lastly, it is submitted that petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned JM 1st Class, Muzaffarpur East, in Bochaha PS Case No. 31 of 2020, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.



7. The application stands allowed.

(Khatim Reza, J)

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