

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24777 of 2024

Arising Out of PS. Case No.-156 Year-2021 Thana- MAHNAR District- Vaishali

Mohit Sahni @ Pashuram Sahni S/O Madan Sahni R/O Village- Madanpur,
Manganpur, P.S- Bhagwanpur, Distt.- Vaishali At Hajipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sachin Kumar, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 05-07-2024 Heard learned counsel appearing on behalf of the

petitioner and Mr. Shailendra Kumar, learned A.P.P. for the

State.

2. Petitioner seeks bail in connection with Mahnar

P.S. Case No. 156 of 2021 registered for the offences under

Sections 147, 148, 149, 323, 341, 307, 302 of the Indian

Penal Code.

3. The petitioner is named in the First Information

Report and is in custody since 24.01.2023.

4. Allegation against the petitioner is to commit the

murder of the father of informant alongwith other co-

accused persons, equipped with deadly weapons like lathi,

rod, etc., in the background of land dispute.



5. Learned counsel appearing on behalf of the petitioner submitted that allegation, as regard to assault, is very much general and omnibus and, in fact, the occurrence was nothing but a free fight between the parties, for which the first case was lodged by the petitioner's side bearing Registration No. Mahnar P.S. Case No. 146/2021. It is submitted that F.I.R. has been lodged after delay of 13 days without any just explanation. It is further submitted that facts and circumstances and the manner in which the occurrence took place, is not suggesting on its face that death was intentional on the part of the petitioner. It is pointed out that implication of the petitioner is appearing for only reason that he is son-in-law of one of the co-accused Harendar Sahani who has already granted bail by this Court through Cr. Misc. No. 67882/2021 vide order dated 11.07.2022. While concluding argument, learned counsel submitted that petitioner is a man of clean antecedent and investigation of this case is completed for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.



6. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

7. Considering the facts and circumstances as mentioned above, as the allegation of assault is very much general and omnibus in nature against the petitioner, which appears to be a free fight due to land dispute coupled with the fact that charge-sheet has already been submitted, accordingly, above-named petitioner is directed to be released on bail in connection with Mahnar P.S. Case No. 156 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Chandra Shekhar Jha, J.)

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