

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23547 of 2024

Arising Out of PS. Case No.-329 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Sogarath Sahni Son of Late Ramsharan Sahni, Resident of Village- Rahimpur
Rudauli, PO And PS- Muffasil Samastipur, Dist- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-04-2024 Heard Mr. Abhigyan Kumar, the learned counsel
for the petitioner and Mr. Anand Kishore Choudhary, the
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Samastipur Muffasil PS Case No. 329 of 2023,
FIR dated 10.07.2023, registered for the offences punishable
under Sections 341, 323, 325, 354, 307, 379, 506 and 452 read
with Section 34 of the Indian Penal Code.

3. According to prosecution case, the co-accused
persons abused and assaulted the brother-in-law of the
informant due to which he sustained injuries and misbehaved
with the informant. It is further alleged that the co-accused
persons also assaulted the family members of the informant and



took golden chains, golden necklace and golden Hanumani were also taken from the informant and her family members.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that as per allegation in the FIR, the petitioner caught hold of the informant and pushed her and thereafter, he has also assaulted the father-in-law of the informant, although the father-in-law of the informant has received the injury, but the injury report of the father-in-law of the informant suggests that injury is simple in nature.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent and injury of the father-in-law of the informant is found to be simple in nature, let the petitioner, above-named, in the event of his arrest or surrender before the trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory



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 Sub Judge-V cum Additional Chief Judicial Magistrate-II, Samastipur having PTN No. BRSM02P0023392023 and GR No. 2323 of 2023, where the case is pending in connection with **Samastipur Muffasil PS Case No. 329 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

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

(ii). 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.

(iii). And further condition that the trial Court 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 trial Court 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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