

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23208 of 2024

Arising Out of PS. Case No.-122 Year-2023 Thana- SIWAIPATTI District- Muzaffarpur

1. Sujeet Sahni @ Sujeet Sahani S/O Lal Bachchan Sahani R/O Village- Bara Bharthi, P.S- Minapur, Distt.- Muzaffarpur.
2. Munchun Sahni @ Munchun Kumar S/O Lal Bachchan Sahani R/O Village- Bara Bharthi, P.S- Minapur, Distt.- Muzaffarpur.
3. Raghuvendra Sahni @ Raghvendra Sahani @ Raghvedar Kumar S/O Lal Bachchan Sahani R/O Village- Bara Bharthi, P.S- Minapur, Distt.- Muzaffarpur.
4. Sattan Sahni @ Satan Sahani S/O Satrugghan Sahni R/O Village- Bara Bharthi, P.S- Minapur, Dist.- Muzaffarpur.
5. Satrugghan Sahni @ Shatrushan Sahani @ Shatrudhan Sahni S/O Late Premeshwar Sahni R/O Village- Bara Bharthi, P.S- Minapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore, Advocate
For the State	:	Mr. Anil Kumar Singh No. 1
For the Informant	:	Mr. Shashi Bhushan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-04-2024 Heard Mr. Yugal Kishore, learned counsel for the petitioners and Mr. Anil Kumar Singh, learned Additional Public Prosecutor for the State and Mr. Shashi Bhushan Singh, learned counsel for the informant.

2. The petitioners are apprehending their arrest in connection with Siwaipatti P.S. Case No. 122 of 2023, F.I.R. dated 16.06.2023 for the offences punishable under Sections 341, 323, 379, 354, 307, 504, 506 and 34 of the Indian Penal



Code.

3. According to prosecution case, petitioners and other co-accused are said to have assaulted the informant and his family members due to which they sustained injuries.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. He further submits that from a bare perusal of the FIR it appears that there is no specific allegation against these petitioners and the allegation against these petitioners that they have act in connivance with the *mukhiya* of the area. He further submits that as per the allegation against the petitioner no. 1 is that he assaulted to the grandfather of the informant but and injury report of the grandfather of the informant, namely, Roop Narayan Sahani suggests that injury is simple in nature caused by hard and blunt substance.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor for the state, on the other hand, have vehemently opposed the prayer for bail of the petitioners and submits that petitioner no. 1 carries five criminal antecedents, petitioner nos. 2, 3, 4 and 5 carries two criminal antecedents but fairly submits on the basis of the paragraph no. 3 of the bail petition that the petitioners are on bail in all the



pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. East Muzaffarpur, in connection with Siwaipatti P.S. Case No. 122 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners 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.

ii. If the petitioners tamper 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 court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their



criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. 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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