

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33295 of 2024

Arising Out of PS. Case No.-1222 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Manish Kumar Sahani @ Manish Kumar Son of Surendra Sahani R/O Vill.-
Pipariya, P.S.- Turkauliya, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bakshi S.R.P. Sinha- Sr. Advocate

Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-09-2024 1. Heard learned senior counsel for the petitioner and
the learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in Turkauliya P. S. Case No.1222 of 2023 registered for
the offences punishable under Sections 147, 148, 149, 341, 323,
324, 307, 379, 504 and 506 of the Indian Penal Code and later
on, Section 302 of the I.P.C. was also added.

3. The learned senior counsel for the petitioner
submits that the petitioner is a person with clean antecedent and
the informant alleges that on 30.11.2023 at 6.30 P.M. the cousin
brother of the informant namely Dadan Kumar Chaudhary was
returning to his house and when he reached Pipariya village
when Suresh and Manish snatched Rs.35,000 along with gold
chain and motorcycle. It is next alleged that Dadan along with



Rajendra, Ram Surat and Sunil Sahani proceeded towards Turkauliya later and they reached at Pipariya village, they saw 15-20 persons were standing armed with sword, iron rod, gun etc. and they intercepted them thereafter Surendra Sahani gave repeated blow of farsa on head of the informant and he fell down thereafter Ranjay, Birendra also assaulted him by an iron rod causing injury, thereafter Santosh, Manish and Ankit assaulted Dadan by farsa causing three injuries on head, thereafter Ankit and Chandrika assaulted Rajendra Sahani by sword on head causing injury.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the allegations are in two parts earlier it is alleged that while Dadan was returning home when he was intercepted along with another accused, they snatched his motorcycle, chain and Rs.35,000/-, thereafter, he came back and again went to the place of occurrence along with informant and other named persons, when they were again intercepted by 15-20 persons who assaulted the informant and Dadan as recorded herein above. It is next submitted that it does not appear probable that Dadan after the occurrence would have gone to the place of occurrence, as such, it appears that the



occurrence took place in some other manner and the petitioners came to be implicated. It is also submitted that though there is allegation of assaulting Dadan by farsa, but then, the injury suffered by Dadan is not by a sharp edged weapon, though learned senior counsel fairly submits that informant suffered injury on head.

5. The learned A.P.P. Sri Chandra Bhushan Prasad vehemently opposes the anticipatory bail application and submits that what is not disputed rather stands admitted is that Dadan died subsequently and informant is an eye witness to the occurrence and he alleges that he saw the petitioner along with others assaulting Dadan causing injury on head. It is further submitted that whether injury was caused by farsa from the sharp side or from the back side is an aspect of investigation.

6. Considering the submissions made by the learned A.P.P., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The prayer of the petitioner for anticipatory bail stands rejected accordingly.

(Satyavrat Verma, J)

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