

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36500 of 2024

Arising Out of PS. Case No.-149 Year-2023 Thana- SIDHWALIYA District- Gopalganj

Basant Sahani @ Basant Sahni S/o Late Shankar Sahani R/o vill - Sadaua,
P.S. - Sidhwaliya, Distt. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 447, 504, 506, 307 and 302/34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been lodged against 13 named accused persons including the present petitioner. The allegation against the present petitioner is that he along with other accused persons assaulted the informant's family.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the antecedent of the petitioner is clean. He further submits that the allegations made in the F.I.R. are in two parts.

The name of the petitioner has not come in the first part rather in the second part, it has been alleged that he along with other co-accused have assaulted the informant's family. He further submits that all allegations are general and omnibus in nature. There is no act or overt act upon the petitioner rather he is bairly a member of mob. He submits that the petitioner's and the informant's side are agnates. There are case and counter case for the same date and place of occurrence, *i.e.* Sidhwalia P.S. Case No. 149 of 2023 has been lodged by the informant's side, whereas Sidhwalia P.S. Case No. 150 of 2023 has been lodged by the petitioner's side. He further submits that the co-accused persons have been granted bail by the Co-ordinate Bench as well as by this Court also, which is Annexure P/2 series.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. In the present facts and circumstances of the case and the submissions made above, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate

1st, Gopalganj, in connection with Sidhwaliya P.S. Case No. 149
of 2023, dated 10.05.2023 subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J)

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