

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37157 of 2024

Arising Out of PS. Case No.-52 Year-2023 Thana- HARLAKHI District- Madhubani

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DEVLAL SAHANI SON OF DOMA SAHANI RESIDENT OF VILLAGE -
BISHAUL, WARD NO.5, POLICE STATION - HARLAKHI, DISTRICT -
MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary
For the Opposite Party/s : Mr.Nand Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-07-2024 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 147, 149, 188, 341, 323, 307, 332, 333, 353, 504, 506 of the Indian Penal Code, Section 9 of the Bihar Control of Use and Play of Loudspeaker Act, Section 15 of the Environment Protection Act, 1986 and 182(A)(4) of the M.V.I. Act.

3. The allegation against the petitioner is that he along with other co-accused persons obstructed the police officials in discharging their duties and assaulted them with bricks and stones and damaged their vehicles as well.



4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and he has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. At best, the petitioner can be said the member of mob. It is further submitted that for the same occurrence, two FIRs have been lodged, one by the local chaukidar and one by the SHO. He further submits that the similarly situated co-accused have been enlarged on bail by this court vide order dated 03.08.2023 passed in Cr. Misc. No. 38792 of 2023. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the



learned Court below where the case is pending/successor
Court in connection with Harlakhi P.S. Case No. 52 of 2023,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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