

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51737 of 2024

Arising Out of PS. Case No.-496 Year-2018 Thana- SUGAULI District- East Champaran

1. Kodai Sahani @ Kodee Sahani S/o Late Harihar Sahani R/o vill - Bel Tola, P.S. - Sugauli, Distt. - East Champaran
2. Rokhraj Sahani @ Lakhraj Sahani S/o Late Harihar Sahani R/o vill - Bel Tola, P.S. - Sugauli, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Adv.
For the Opposite Party/s: Mr. Sanjay Kumar Singh, APP.
Mr. Dhannjay Kumar No.2, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioners, learned A.P.P.
for the State and learned counsel for the informant.

2. The petitioners seek bail in connection with a case registered for the offence punishable under Sections 341, 342, 323, 324, 307, 302, 34 of the IPC.

3. Allegedly, the FIR named accused persons are said to have assaulted the informant's brother and parents by means of *barchi* and bamboo. Thereafter, the injured were brought to P.H.C., Sugauli, where also the accused persons including the petitioners came and assaulted the informant's side. It is further alleged that during the course of treatment, the father of the informant died.

4. It is submitted by learned counsel for the petitioners



that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. They have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. They have been made accused in the present case merely on suspicion. There is no specific allegation against the petitioners. Petitioners have no criminal antecedent and they are in custody since 04.01.2024.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail. Learned counsel for the informant submits that the occurrence took place in the year 2018, but the petitioners have moved before this Court after two years through Cr. Misc. No. 22696 of 2022, which was rejected by this Court.

6. Having regard to the facts and circumstances of the case, since it is admitted fact there is no specific overt act against the petitioners and they have no criminal antecedent, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each 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 Sugauli P.S. Case



no. 496 of 2018.

7. Petitioner are directed to cooperate in the trial. If the petitioners fail to appear before the learned Court below on the two consecutive dates on the date fixed in the case, the prosecution will be at liberty to file an application for cancellation of bail bond of the petitioners before the learned Court below.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

