

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52578 of 2024

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

Lal Bachchan Sahani Son of Late Prameshvar Sahni @ Parameshwar Sahani
Resident of village - Bara Bharthi, P.S.- Minapur, District - Muzaffarpur,
Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP.

Mr. Bipin Kumar, Adv.

Mr. Shashi Bhushan, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 30-08-2024 Heard learned counsel for the petitioner and learned APP
for the State assisted by learned counsel for the informant.

2. The petitioner seeks bail in connection with a case
registered for the offence punishable under Sections 341, 323,
379, 354, 307, 504 & 506/34 of the Indian Penal Code.

3. Allegedly, the petitioner, in associate of other co-
accused, is said to have assaulted the informant's side brutally
with deadly weapons and also tried to outrage the modesty of
female members of the informant's family. The uncle of the
informant was assaulted by the petitioner by means of *Dabiya*
due to which he sustained grievous injury.

4. It is submitted by learned counsel for the petitioner



that the petitioner is quite innocent and 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 totally false and based on concocted facts. There is inordinate delay of seven days in lodging the FIR, which creates serious doubt about the prosecution case. It is further submitted that for the same alleged occurrence, two FIRs were lodged by the informant's side in connivance with police officials; one by wife of one Lakhinder Sahani and other i.e. the instant case by the informant. It is further submitted that the injury report of the injured has not supported the prosecution case. Petitioner has seven criminal antecedents and he is in custody since 14.05.2024.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail and submits that there is serious allegation against the petitioner to assault the uncle of the informant by means of *dabiya*.

6. Having regard to the facts and circumstances of the case as well as considering the period of custody, the above named petitioner is directed to be enlarged on bail 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 Siwaipatti P.S. Case no. 122 of 2023.

7. Petitioner is directed to cooperate in the trial. If the petitioner fails 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 petitioner before the learned Court below.

(Anjani Kumar Sharan, J)

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