

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55922 of 2024

Arising Out of PS. Case No.-57 Year-2024 Thana- AURAI District- Muzaffarpur

- 1. Devendra Sahni Son of Aklu Sahni Resident of Village- Bishtha, P.S.- Aurai, District- Muzaffarpur
- 2. Surendra Sahni Son of Aklu Sahni Resident of Village- Bishtha, P.S.- Aurai, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Prakash Sharma, Advocate
For the State : Mr. Amitesh Kumar, APP
For the Informant : Mr. Ratneshwar Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

- 325-09-2024
1. Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

2. The petitioners seek bail in connection with Aurai P.S. Case No. 57 of 2024 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 354, 307, 302, 448, 449, 450, 506 of the Indian Penal Code.

3. As per the prosecution case, all the accused persons have assaulted which has caused the death of the deceased.

4. Learned counsel for the petitioners submits that the FIR is falsified from the post-mortem report as only two injuries have been found in the post-mortem report. External injuries have been found in the post-mortem report and the assault by huge number of accused persons cannot cause only two injuries. Learned counsel for the petitioners also submits that the



deceased was seventy years old man and in the scuffle, he fell down and sustained injury. No offence under Section 302 of the IPC is made out in the facts of the case coupled with the post-mortem report.

5. Learned APP appearing for the State and the learned counsel for the informant opposed the prayer for regular bail of the petitioner and submitted that the petitioners are assailant of the deceased. It has also been submitted that the charge has been submitted against the petitioners.

6. Considering the fact that the deceased sustained two injuries and he was seventy years old man, I am of the view that this is a fit case for grant of bail, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class (East), Muzaffapur in connection with Aurai P.S. Case No. 57 of 2024.

(Sandeep Kumar, J)

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