

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54671 of 2024

Arising Out of PS. Case No.-188 Year-2023 Thana- PIPRAKOTHI District- East Champaran

Dharmendra Sahni @ Dharmendra Kumar S/o Late Jagdish Sahni @ Jagdish
Chaudhari R/o vill - Hathiyahi, P.s.- Piprakothi, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-08-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Piprakothi P.S. Case No. 188 of 2023 for the offence registered under sections 341, 323, 308, 382, 385, 411, 120(B)/34 of the I.P.C. lodged on 17.08.2023 by the informant Rajesh Sahani.

3. As per the prosecution story, the informant alleged that while he along with his wife and daughter were going to in-law's house, accused persons on motorcycle surrounded and started abusing. One of them tried to press his neck with the help of a towel while the second person flashed pistol and put it on the chest of the informant. As the wife and daughter cried, the villagers assembled, the accused tried to escape, petitioner



succeeded while Abhiratan was caught by them. He was subsequently handed over to the police who gave the name of this petitioner. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that he has issue with his paternal aunt and this led to his implication.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that one of the accused was arrested from the spot and he has given the name.

6. The petitioner has been named by the arrested person, he do not have criminal antecedent, FIR lodged, will be facing the trial, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. East Champaran, Motihari in connection with Piprakothi, P.S. Case No. 188 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family



members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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