

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71532 of 2023

Arising Out of PS. Case No.-40 Year-2022 Thana- JALE District- Darbhanga

Manjit Sahni @ Manjay Sahni Son Of Gulab Sahni R/O Vill - Rampur
Pachasi, P.S. - Pupri, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surekha Kumari

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 14-05-2024 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 341, 323, 427, 302, 504/34 of the Indian Penal Code.

Earlier the prayer for bail of the petitioner was rejected vide order dated 03.04.2023 passed in Cr. Misc. No. 70790 of 2022 with an observation to the Trial Court to expedite the trial and conclude the same as soon as possible.

As per allegation in the FIR, on 20.4.2022 at



about 8:30 PM some alteration took place between the petitioner and informant's side but the matter was pacified then. After sometime, the accused persons including the petitioner came at informant's house and started assaulting his family members. It is further alleged by the informant that his son was assaulted by this petitioner by means of iron rod due to which he become unconscious and received injuries. Thereafter, he was taken to hospital but the injured Nitesh Kumar was declared died.

Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case due to dirty village politics. It is further submitted that the petitioner is languishing in judicial custody since 4.6.2022. A second supplementary affidavit has been filed to the effect that the petitioner is suffering from eye diseases in jail custody and the Jail Administration had sent the petitioner many times in I.G.I.M.S, Patna for better eye



treatment but the petitioner's conditions are not improving and if the eye of the petitioner is not treated well, he may lost his eye sight.

Learned APP appearing for the State has vehemently opposed the prayer for bail of the petitioner.

In pursuance to the direction of this Court, a report with regard to the present stage of the trial has been received and it has been kept at Flag-A. The report of learned Additional Sessions Judge-III, Darbhanga dated 12.01.2024 suggests that the Investigating Officer and the Doctor are yet to be examined and the trial is likely to be concluded within nine months which suggests that there is no likelihood of the trial being concluded in near future.

Considering the facts aforesaid and the fact that there is no likelihood of the trial being concluded in near future and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands)



with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Darbhanga in connection with Jale P.S. Case No. 40 of 2022, subject to the conditions (i) that one of the bailors shall be close relative of the petitioner (ii) that 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 by the Trial Court itself, (iii) that 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 his bail bonds.

(Sunil Kumar Panwar, J)

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