

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69062 of 2024

Arising Out of PS. Case No.-72 Year-2024 Thana- CHACKMEHSI District- Samastipur

Mahesh Sahni @ Mahesar Sahni Son of Late Budhu Sahni Resident of
Village - Dadhiya, P.S. - Chakmehsi, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-10-2024 Heard Learned Counsel for the petitioner and Learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Chakmehsi P.S. Case No. 72 of 2024 dated 26.05.2024, lodged
under Sections 341, 323, 447, 302, 504, 34 of the Indian Penal
Code.

3. As per the prosecution, FIR has been lodged against
four named and one unknown accused person against whom
there is an allegation that they have assaulted informant and his
brother due to which informant's brother was severely injured
and subsequently, during treatment he died.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that petitioner is not named in the FIR. Counsel



submits that the name of the petitioner has been figured in this case by the informant in his re-statement. Counsel further submits that the criminal antecedent of the petitioner is not clean as there is one criminal case pending against him in which he is on bail. The petitioner is in custody since 24.06.2024 in the present case.

5. Learned APP for the State opposes the prayer for bail of the petitioner and admits that petitioner is not named in the FIR.

6. In the present facts and circumstances of this case, let the petitioner above named be granted bail as well as on being satisfied by the Trial Court that the petitioner is not absconding in Chakmehsi P.S. Case No.122 of 2019, and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Samastipur in connection with Chakmehsi P.S. Case No. 72 of 2024, subject to the conditions as laid down U/s 437(3) Cr.P.C.as well as the following conditions:

(i) one of the bailor should be the family member 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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for 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 evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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.

(Dr. Anshuman, J)

Divyansh/-

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

