

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76004 of 2024

Arising Out of PS. Case No.-374 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

=====

Kanhaiya Sahani @ Sumit Sahani S/o- Late Kameshwar Sahani Resident of
New Gopalpur Agarwa P.S- Motihari Town, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Motihari Town P.S. Case No. 374 of 2024 instituted for the
offence under Sections 341, 323, 307, 504, 379, 506 & 34 of the
Indian Penal Code.

3. Prosecution case as emanated from the FIR is that
co-accused persons including the petitioner have assaulted the
informant by means of iron rod, *lathi*, due to which he sustained
injury. It is also alleged that co-accused, namely, vishal Sahni
snatched mobile phone of the informant whereas co-accused,
namely, Sudhir Sahni snatched gold *Hanumani* from the
informant's neck.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02-08-2024. Petitioner bears two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is general and omnibus allegation levelled against the petitioner. It is alleged that informant was assaulted by means of iron rod and *lathi*, but from perusal of the injury report, it would transpire that injury is found to be simple in nature. It is submitted that there is case and counter case between the parties.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and taking into account there being case and counter case between the parties, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Motihari



Town P.S. Case No. 374 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

