

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25493 of 2025

Arising Out of PS. Case No.-234 Year-2024 Thana- HUSSAINGANJ District- Siwan

Makurdhan Sahani @ Mukurdhan Sahani @ Makurudhan Sahani @
Makurdhan Sahni, Son of Late Ram Ugai Sahani, village- Sareya, ps-
Hussainganj, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 09-05-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The application for grant of bail to the petitioner
who is in custody in connection with Hussainganj P.S. Case No.
234 of 2024 registered for the offence punishable under Sections
147, 148, 149, 341, 323, 324, 307, 326 and 504 of the Indian
Penal Code.

3. This is the second attempt on behalf of the
petitioner as earlier the prayer for bail of the petitioner came to
be turned down vide order dated 10.01.2025 in Criminal
Miscellaneous No. 81082 of 2024 considering the specific
allegation of causing *fasuli* blow to the injured.



4. Learned Advocate appearing on behalf of the petitioner fairly submitted that since the prayer for bail of the petitioner came to be turned down on merit of the case, and, as such, no submission is being made on this score. However, this fact cannot be ignored that the petitioner has been incarcerated since 25.06.2024 and while rejecting the prayer for bail, the petitioner was given liberty to renew his prayer for bail after six months or after framing of the charge. Taking this Court through the Annexure 3 to the bail application, it is submitted that now the charges have already been framed against the petitioner and hence this application. Moreover, the petitioner bears fair antecedent and he undertakes before this Court that he will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Additional Public Prosecutor for the State vehemently opposes the bail application and submits that the grievous injury sustained to the petitioner is attributed against the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the observation of this Court and the fact that the charges have already been framed coupled with the fact that the petitioner has been incarcerated since 25.06.2024 having fair antecedent, let the petitioner,



named above, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – VII, Siwan in connection with Sessions Trial No. 39 of 2025 arising out of Hussainganj P.S. Case No. 234 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in



terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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