

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56974 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- SAKRI District- Madhubani

Jay Veer Sahni @ Jaivir Sahni Son of Kailash Sahni R/O Vill.- Gajwa,
Basauli, P.S.- Rahika, Dist.- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 10-01-2025 Heard Mr. Bimal Kumar Jha, learned Counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Sarkari P.S. Case No. 67 of 2024 for the offence punishable
under Sections 323, 324, 307, 341, 504 and 34 of the Indian
Penal Code lodged on 05.04.2024 by the informant, Sushil
Sahni.

3. As per the prosecution story, the informant alleged
that on 25.03.2024 while he was sitting in his room having tea,
Ramesh Sahni alongwith his son-in-law (the petitioner herein)
came and started abusing him. Further, repeated knife blow was
given by the Ramesh Sahni in his abdomen while the petitioner
caught hold on his hands. This led to the intestine having been



damaged, he was taken to CRIBS Hospital for treatment whereafter he was saved, the reason has also been assigned that the informant had given him loan which was being demanded. Accordingly, the F.I.R.

4. Learned Counsel for the petitioner submits that there is a case and counter case, both sides have suffered, the father-in-law has already been denied relief in Cr. Misc. No. 56881 of 2024, only to enlarge the net of accused, the son-in-law, a labour who was not even present on the spot has been given a role of having caught hold of the injured.

5. Further, the last submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 22,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that his role cannot be ignored which resulted into injury to the informant.

7. Taking into account the aforesaid facts as also that



the main role has been assigned to Ramesh Sahni, he has already been denied relief, though the role is assigned to the petitioner, he will have to face the trial, do not have criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs. 22,000/- to the informant (Sushil Sahni) as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

8. 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 Additional District and Sessions Judge-III, Madhubani in connection with Sarkari P.S. Case No. 67 of 2024 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 six months 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/-

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

