

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81082 of 2024**

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

Makurdhan Sahani @ Mukurdhan Sahani @ Makurudhan Sahani, S/O Late
Ram Ugai Sahani, R/O Village- Sareya, P.S.- Husainganj, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, Ad-
vocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-01-2025 Heard Mr. Tribhuwan Narayan, learned Advocate ap-
pearing 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 Husainganj 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 Pe-
nal Code.

3. The allegation against the petitioner is of causing
Fasuli blow over the stomach of the brother of the informant
causing grievous injury.

4. Learned Advocate appearing on behalf of the peti-
tioner drawing the attention of this Court to the FIR primarily



contended that the alleged occurrence has taken place on account of a trifle. There was no premeditation and intention to cause injury, however, only on account of a scuffle which took place between both the parties, some injury has been caused to the informant and others. Since the petitioner was associated with the other co-accused persons, his name has been implicated in this case with specific allegation. It is further contended that there is no eye witness to the alleged occurrence and moreover, the occurrence is said to have taken place on 23.06.2024, however, the first information report was lodged on 24.06.2024 on the next day. It is lastly contended that one of the co-accused person namely Pannalal Sahani @ Pannalal Sahni has been accorded the privilege of regular bail by this Court in Criminal Miscellaneous No. 70427 of 2024 and the petitioner bears fair antecedent.

5. On the other hand, learned Additional Public Prosecutor for the State vehemently opposes the bail application and submits that the specific allegation has been levelled against the petitioner of causing *fasuli* blow, due to which the injured has sustained serious injury. So far Pannalal Sahani @ Pannalal Sahni is concerned, against whom there was only allegation of exhortation.



6. Regard being had to the submissions made on behalf of the parties and considering the serious nature of accusation of causing of *fasuli* blow leading to grievous injury, this Court is not acceded to the prayer of the petitioner for bail at present. The prayer for bail of the petitioner stands rejected. However, the petitioner may renew his prayer for bail after six months or framing of charge.

(Harish Kumar, J)

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