

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88457 of 2024

Arising Out of PS. Case No.-118 Year-2024 Thana- PALANWA District- East Champaran

Horil Sahani Son of Late Khakhan Sahani Resident of Village- Kharkatwa,
P.S.- Palanwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh, Adv
	:	Mr. Mayank P. Dubey, Ad
For the Opposite Party/s	:	Mr. Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 11-04-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Palanwa P.S. Case No. 118 of 2024 registered for the offences punishable u/s 126(2), 115(2), 109, 118(2), 76, 303(2), 352 and 351(2) of the Bhartiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant's daughters namely, Soni Kumari and Mina Kumari had gone to the temple and then it has been alleged that the petitioner and the other co-accused persons namely, Sandeep Sahani, Sulehkha Kumari, Tara Devi, Vicky Sahani and Sanjay Sahani caught his younger daughter (Meena Kumari) and started assaulting her. It



was further alleged that the petitioner along with the co-accused Vicky Sahani had jumped over her and pressed her neck with intention to kill her due to which she became unconscious and she was taken to the S.R.P. Hospital, Raxual and where the doctor opined that her vocal cord had got damaged.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case and a concocted story has been developed for the injuries caused to the daughter of the informant on account of stampede like situation at the temple. It has further been submitted that the story is ornamental as far as the allegation of strangulation in full public view and snatching of Gold nose pin and Silver Chain is concerned. Learned counsel for the petitioner has further drawn the attention of this Court to the report of S.R.M. Hospital, Raxual which states that the injury was simple in nature. The petitioner has clean criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 20.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and has stated that considering the injury report which has come during the course of investigation the daughter of the informant namely Meena



Kumari had suffered serious injury on her vocal cord causing her difficulty in breathing, hence, the petitioner does not deserve bail.

6. Considering the aforesaid facts that the petitioner is aged about 55 years and there is no specific allegation of having inflicted injury to the said Meena Kumari and also the fact that the injury which was sustained by the injured Meena Kumari is simple in nature coupled with the fact that the petitioner is in jail since 20.09.2024, let the petitioner above-named, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran at Motihari in connection with Palanwa P.S. Case No. 118 of 2024.

7. The application stands allowed.

(Sourendra Pandey, J)

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