

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88926 of 2024

Arising Out of PS. Case No.-613 Year-2020 Thana- MASHRAK District- Saran

Munna Sahni S/o Krishna Sahni R/o Village- Lakhanpur, P.S.- Mashrakh,
District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate
		Mr. Raushan Raj, Advocate
		Ms. Diksha Kumari, Advocate
For the Opposite Party/s :		Mr. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 26-06-2025 Heard Mr. N.K. Agarwal, the learned senior counsel
appearing on behalf of the petitioner and the learned A.P.P. for
the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 302, 341,
323, 324, 307, 447, 504 and 506 of the I.P.C.

3. As per the prosecution case, altogether 10 FIR
named accused persons with common intention, variously
armed, entered into the house of the informant and started
assaulting him with iron rod *danda* and knife etc. It is further
alleged that co-accused Lalu Sahani assaulted on the head of the
wife of the informant with an iron rod while the petitioner gave
a knife blow on the head of wife of the informant. It is next
alleged that the named accused persons threatened the informant



and fled away and during the course of treatment, the wife of the informant succumbed to the injury.

4. The learned senior counsel for the petitioner submits that there is general and omnibus allegation against all the accused persons, however, the specific allegation of assault with iron rod on the head of the wife of the informant was upon Lalu Sahani and from perusal of the postmortem report, it would be evident that the cause of death is the injury caused by the said accused Lalu Sahani. The learned senior counsel lastly submits that the petitioner has clean antecedent and he is in custody since 13.05.2024.

5. The learned A.P.P. has vehemently opposed the prayer for bail and has stated that petitioner had also caused sharp cut injury on the head of the wife of the informant who ultimately died due to the injuries.

6. Considering the aforesaid submissions made by the parties and taking account that the cause of death was on account of the injury caused by hard and blunt substance i.e., iron rod and specific attribution is upon Lalu Sahni, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection Mashrakh P.S.



Case No. 613 of 2020, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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