

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48604 of 2014

Arising Out of PS.Case No. -98 Year- 2013 Thana -BISFI (PATAUNA) District- MADHUBANI

Hira Sahani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar-Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari (A.P.P.)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 22-06-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

Binod Ranjan Nishad along with Nagendra Sahani
had gone to the tea shop of Satya Narayan Sahani and while they
both were seeping tea, their opponent Rani Devi arrived and soon
thereafter, three persons ridden over a motorcycle came, who
talked with Rani Devi and then thereafter, Rani Devi left the shop.
Two persons got down from the motorcycle and made
indiscriminate firing causing injury to Binod Ranjan as well as
Nagendra Sahani, then thereafter, they escaped. Both the injured
were taken to hospital where Binod was declared dead. Dispute
with regard to settlement of saiyyat in between Rani Devi as well as
deceased, Binod has been shown motive for commission of
occurrence.

So far petitioner Hira Sahani is concerned, he is not named in the first information report. Subsequently thereof, during course of further statement, the informant, brother of Binod had stated that petitioner was standing along with Magic Vehicle and he refused to carry the injured to hospital. During course of investigation, similar kind of statement has been made so far petitioner is concerned, by the witnesses. However, one of the injured, who survived was examined under Section 164 Cr.P.C. recorded under Paragraph-176 of the case diary whereunder he had alleged that members of the opposite camp escaped over Magic Van belonging to the petitioner as well as also identified the petitioner to be the member of the opposite camp and on account thereof, petitioner has been made an accused.

That being so, in event of arrest/ surrender within four weeks from receipt/ production of order, petitioner, **Hira Sahani** is directed to 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 Chief Judicial Magistrate, Madhubani in connection with Bisfi P. S. Case no.98 of 2013, in terms of condition, so laid down, under Section 438(2) Cr.P.C.

(Aditya Kumar Trivedi, J)

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