

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1241 of 2017

Arising Out of PS.Case No. -187 Year- 2016 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

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Hari Sahni son of Sitaram Sahni, resident of village – Mustafapur, Police
Station – Bishanpur and District - Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-01-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
22.08.2016 in connection with L.N.M.U. P.S. Case No. 187 of
2016 registered for the offence punishable under Sections 394,
324 and 307 of the Indian Penal Code and Section 27 of the Arms
Act.

The prosecution case is that at 19:45 hours on the
alleged date of occurrence while the informant and his brother
after closing their shop were returning home, accused persons
surrounded them and snatched Rs. 1,25,000/- kept in a bag and on
protest accused persons made firing which hit the head of the
brother of the informant and thereafter accused persons fled away.
Brother of the informant was taken to the hospital for treatment.



It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the First Information Report and has been falsely implicated in the aforesaid case. It has further been submitted that it is only on the confessional statement of one Ramesh Singh that the petitioner has been made accused and the allegation upon the petitioner is that he was “aligner” in the aforesaid occurrence, but no overt act has been committed by the petitioner. He submits that no Test Identification Parade has been held so far, although the informant claims that he will identify the offenders of the alleged occurrence.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with L.N.M.U. P.S. Case No. 187 of 2016, subject to the condition that petitioner shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear in the



learned Court below, as and when required.

With these observations and directions, this application stands allowed.

(Nilu Agrawal, J.)

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