

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12756 of 2017

Arising Out of PS.Case No. -97 Year- 2016 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Md. Jabbar @ Jabar Mian, son of Late Jalil Mian, resident of Village-
Sishani Bazar, Police Station- Pakaridayal, District- Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 13-04-2017

Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Trial No.
2400 of 2016 arising out of Pakaridayal P.S. Case No. 97 of 2016
registered for the offences punishable under Sections 307, 302,
120(B)/4 of the Indian Penal Code and Section 27 of the Arms
Act.

Allegedly, the informant and his brother Madhav Lal
Sahani were returning after attending a meeting at Motihari and
the vehicle was driven by the petitioner and the petitioner stopped
the vehicle and then motorcycle born F.I.R. named criminals



started opening fire, aiming to kill his brother by which Madhav Lal Sahni and Amitabh Sahani sustained serious injury. During treatment at Rahmaniya Hospital, Motihari, injured Amitabh Sahani died and Madhav Sahani was struggling for life. It is alleged that petitioner under connivance has stopped the vehicle.

Submission is of false implication and that petitioner has stopped the vehicle out of fear after seeing the arm-man, the petitioner has got no concern with the alleged occurrence. He has been made victim of the circumstances resulting, he is suffering in custody since 23.07.2016, charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes the prayer of bail by submitting that petitioner is also one of the conspirators.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-5, East Champaran, Motihari in connection with Trial No. 2400 of 2016 arising out of Pakridayal P.S. Case No. 97 of 2016 subject to the conditions that one of the bailors must be near



relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

sushma/-

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