

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51077 of 2017

Arising Out of PS.Case No. -121 Year- 2016 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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Prabhu Sahni, Son of Late Ramchandra Sahni, Resident of Village- Sirhan
Katas, P.S.-Pakaridayal, District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Smt. Gulnar Begam

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 22-12-2017 Heard learned counsel for the petitioner, and

learned APP for the State.

The petitioner seeks bail in connection with

Pakridayal P.S. Case No. 121 of 2016 registered under Sections

147, 148, 149, 302, 307 and 120(B)/34 of the Indian Penal Code

and 27 of the Arms Act.

The petitioner along with fiver other accused

persons are said to have gunned down the father, mother, nephew

of the informant and one Rajkishore Prasad by resorting

indiscriminate firing by means of fire arm.

It is submitted by learned counsel for the petitioner

that the co-accused Kushesh Singh in his confessional statement



has not named the petitioner in the occurrence. The petitioner has been falsely implicated in the case as there is old animosity between the parties and title suit is pending between them. The petitioner has been languishing in custody since 16.03.2017.

On the other hand, learned APP vehemently opposing the bail petition, citing the various paragraphs of case diary submitted that the informant in his further statement and number of witnesses including the independent witnesses have supported resorting indiscriminate firing upon the victims by the petitioner as well resulting into death of four victims. In postmortem report, doctor has also found multiple gun shot injuries on various parts of the persons of the deceased as ante mortem injury, which corroborate the aforesaid case of the prosecution.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his bail prayer is rejected.

(Prakash Chandra Jaiswal, J)

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