

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45626 of 2017

Arising Out of PS.Case No. -334 Year- 2015 Thana -TAJPUR District- SAMASTIPUR

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Baidya Nath Sahani @ Bhulla Sahani, s/o Sahabit Sahani @ Gabbar Sahani,
r/o vill-Dadanpur, PS-Tajpur Halai, Dist- Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy

For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-09-2017 Heard the learned counsel for the petitioner and

the State.

As per the FIR, the sweet shop of the informant is situated at Pansala chowk in Banvira panchayat. On 23.10.2015 at about 8 pm, four people came on motorcycle including the petitioner herein and had snacks at the shop of the informant. When the son of the informant asked for money, the said persons assaulted him and told him that on one hand, he has not given the donation for the Durga Puja and on the other hand, he has asked for money for snacks. Thereafter, the said people had left, however, the petitioner herein and other accused persons came in the night at about 2 hours and reiterated the aforesaid conversation of non-payment of donation and forced the son of the informant to sit on the motorcycle on which Baidyanath Sahani (petitioner



herein) and one Mukesh Sahani were sitting. On hulla being raised by the informant, the co-villagers came there and his son was freed however, Rakesh Sahani was caught but the other accused persons fled away while firing and had also thrown a bag and in the morning, a bomb was found there.

The learned counsel for the petitioner has submitted that general and omnibus allegations have been leveled against the petitioner as well as he has been falsely implicated in the present case although there is no whisper of any overt act on the part of the petitioner.

I have gone through the materials on record and heard the learned counsel for the petitioner. I find that severe allegations have been leveled against the petitioner and as many as six cases are pending against the petitioner wherein serious offences are alleged to have been committed by the petitioner.

A bare perusal of the order dated 22.07.2017 passed by the learned trial court shows that the chargesheet has already been submitted against the petitioner, cognizance has been taken and charges have already been framed against the petitioner herein.

Considering the serious nature of allegations and several criminal cases being pending as against the petitioner



herein, I am not inclined to enlarge the petitioner on regular bail and his prayer for regular bail is hereby rejected. However, in case the trial does not progress appropriately, the petitioner may renew his prayer for bail after one year.

(Mohit Kumar Shah, J.)

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