

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53748 of 2016

Arising Out of PS.Case No. -293 Year- 2015 Thana -SUGAULI District- EASTCHAMPARAN (MOTIHARI)

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1. Krishna Thakur Son of Sri Rudal Thakur, resident of Village-
Roshanpuar Sapahan, P.S.- Sugauli, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the State : Mr. Sri Sanjay Kumar Sharma, APP

For the informant : Dr. Amarendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

4 09-03-2017

Heard both sides.

The petitioner seeks bail in Sugauli P.S. case No. 293
of 2015 under Section 302 and other Sections of the Indian Penal
Code and under Section 27 of the Arms Act.

The informant, Rajendra Sahni, named the petitioner
along with other accused persons and alleged that when he had
gone to plough his land with tractor, the accused persons came and
began to abuse. On the order of Wakil Sahni, Krishna Thakur,
Shambhu Sahni, Ruplal Rai, Sanjay Sahni, Prabhu Thakur,
Bhushan Thakur and others made firing. The firing made by
Krishna Thakur, the petitioner, hit on Meghu Sahni, driver of the
tractor. Other accused persons also made firing causing injury to
other persons. Meghu Sahni died on the spot.

The learned counsel for the petitioner submits that
from the side of the petitioner one case was lodged in which



Meghu Sahni was also made accused. Ramhari Sahni, father of Meghu Sahni, lodged Sugauli P.S. case No. 295 of 2015 against the informant, Rajendra Sahni, and others. The father of the deceased alleged that Rajendra Sahni and others killed his son.

On the other hand, the learned counsel for the informant as well as the learned Additional Public Prosecutor submitted that two cases, the present one and another from the side of accused were lodged on the same day, i.e. on 30.07.2015 and Ramhari Sahni, father of Meghu Sahni, lodged Sugauli P.S. case No. 295 of 2015 on 01.08.2015. Ramhari Sahni deposed in the court that accused persons took his signature on a plain paper and lodged a false case.

It appears that there is specific allegation that it was the petitioner, who fired causing the death of deceased, Meghu Sahni, on the spot.

Considering the facts aforesaid and the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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