

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16144 of 2017

Arising Out of PS.Case No. -39 Year- 2016 Thana -SAMSTIPUR RAIL P.S District-
SAMASTIPUR

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1. Ravindra Sahni Son of Moti Lal Sahni @ Moti Lal Choudhary Resident
of village - Suratpur, P.S. Samastipur Muffasil, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Sri Ahtash Ali Khan, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 21-06-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

Petitioner is languishing in custody since 14.11.2016 in
connection with Samastipur Rail (G.R.P.) P. S. Case No. 39 of
2016 for the offences alleged under Sections 302/34 of the Indian
Penal Code.

The prosecution case is that the husband of the
informant went to Dalsingsarai at his shop at about 8 P.M.,
suddenly some one had fired upon the husband of the informant
for which he succumbed to injury.

It has been submitted by the learned counsel for the
petitioner that he is not named in the F.I.R. and has been falsely



implicated in the aforesaid case due to past criminal history and on the confessional statement of co-accused, Pappu Kumar. It has further been submitted that although the petitioner is in custody in other cases from 23.11.2016 and he has been remanded in the present case since 14.11.2016 and since then he is in judicial custody. It has further been submitted that another co-accused, whose name has surfaced in the confessional statement of the said co-accused, Pappu Kumar, has since been granted the privilege of bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 9727 of 2017 dated 15.03.2017. It is further submitted that there is also eye witness of the alleged occurrence and that charge sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner has large number of cases pending against him, hence, vehemently opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, 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 Additional Chief Judicial Magistrate, Rail, Samastipur in connection with Samastipur Rail (G.R.P.) P.S. Case



No. 39 of 2016 with a condition that the petitioner will appear before the learned Court below during trial on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Sudha/-

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