

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35069 of 2017

Arising Out of PS.Case No. -112 Year- 2016 Thana -BEERPUR District- BEGUSARAI

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1. Ram Kishun Sahni Son of Late Dilchand Sahni, R/o Village- Nonpur,
P.S.- Teghra, Dsitrict- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 14-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Birpur P.S.
Case No. 112/2016 for offences punishable under Sections 302/34
of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that while he and his brother were sitting in the medicine shop
near the counter, five miscreants entered the medicine shop and
started indiscriminate firing, which caused serious injuries and his
brother succumbed to the injuries. Specific allegation against the
petitioner is of hitting the deceased on his cheek.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that specific allegation is against Balwant Sahni and Sheeko Sahni and even enmity is alleged to be against Balwant Sahni and Shivdani Sahni and not the petitioner. He further submits that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and petitioner is in custody since 29.05.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner along with other co-accused fired on the brother of the informant resulting in his death.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Birpur P.S. Case No. 112/2016, pending in the court of ACJM-I, Begusarai.

Application is, accordingly, rejected. However, petitioner may renew his prayer for bail after framing of charge.

(Nilu Agrawal, J)

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