

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17963 of 2018

Arising Out of PS. Case No.-10 Year-2017 Thana- KATRAHA District- Vaishali

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Bhim Sahni, S/o. Ram Janam Sahni, Resident of Village- Basanta Jehanabad,
P.S. - Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

5 19-06-2018 Heard learned counsels for the petitioner and the

State.

The petitioner, already in custody, seeks bail in connection with Sessions Trial No. 548 of 2017, arising out of Kartahan P.S. Case No. 10 of 2017 registered under Sections 394 and 302 of the Indian Penal Code and under Section 27 of Arms Act.

Allegation in brief is that some miscreants turned up with informant on the petrol pump and thereafter looted money, the sale proceed and in that process killed the Nosel man.

Learned counsel for the petitioner submits that FIR is against unknown. There is no eye-witness in the present case. The other employees of the petrol pump are the eye-witnesses but the petitioner was neither put on TIP nor any incriminating



material has been recovered from his possession. Merely on the basis of the informer of the police and later on two witnesses who saw the petitioner near the place of occurrence prior to the occurrence has been implicated in this case. The court below rejected the bail considering his criminal antecedent. However, similarly situated other co-accused of this case Anil Sahni and Md. Zafar have been admitted on bail by co-ordinate bench of this court vide Cr. Misc. No. 7701 of 2018 and Cr. Misc. No. 11292 of 2018 respectively.

Learned counsel for the State submits that the offence is serious and the informer disclosed the participation of the petitioner.

Having considered the aforesaid facts and circumstances, as the petitioner was neither put on TIP nor any incriminating material recovered from possession of the petitioner, besides that similarly situated other co-accused admitted on bail earlier by co-ordinate bench of this Court, so, the petitioner, namely Bhim Sahni is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, Vaishali at Hajipur in



connection with Sessions Trial No. 548 of 2017, arising out of
Kartahan P.S. Case No. 10 of 2017, with further conditions:-

(1) One of the bailors must be close family members
of the petitioner.

(2) The petitioner shall appear on each and every date
before the trial court and if he absent himself on two
consecutive dates without any reasonable cause his bail bond
was liable to be cancelled.

(Arun Kumar, J)

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