

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22948 of 2018

Arising out of PS.Case No. -354 Year- 2017 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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Pahari Sahni @ Pahari Sahani son of Late Sigasan Sahani, Resident of
Village-Dhawahi, P.S.-Harsidhi, District-East Champaran,

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Satyavrat Verma

For the Opposite Party/s : Mr. Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

4 29-06-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Harsidhi P.S. Case No. 354 of 2017 for the offences punishable
under Sections 341, 447 and 307/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The allegation levelled by the informant is that while he
was returning to his house, the petitioner herein and another co-
accused persons caught the informant and opened fire from the
country made pistol resulting in the informant sustaining fire arm
injury.

The learned counsel for the petitioner has submitted that
the sons of the petitioner herein were also accused in the present
case but the Police has submitted final form in the present case. It
is further submitted that admittedly the petitioner is neighbour of



the informant and land dispute is pending amongst them. Hence, the informant has falsely implicated the petitioner with vengeance. It is further submitted that a bare perusal of the case diary would show that no substantial material has been collected during the course of investigation so as to implicate the petitioner in the alleged crime and the informant has not received gun shot injury on the vital parts. The petitioner is stated to be languishing in custody since 13.11.2017.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Harsidhi P.S. Case No. 354 of 2017.

It is directed that the petitioner would mark his presence before the Officer In-Charge of the concerned Police Station at 10 A.M. on each and every Monday of the month and in the event of his failure on three consecutive occasions to mark his attendance, the present privilege of bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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