

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5992 of 2019

Arising Out of PS. Case No.-656 Year-2018 Thana- KADAMKUAN District- Patna

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Billa Sahani @ Dinesh Sahani, aged about 38 years, S/o Late Ram Babu Sahani, Resident of Near Rajendra Nagar Over bridge, Railway Hunter Road, East Lohanipur, P.S-Kadamkuan, Distt.-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh

For the Opposite Party/s : Mr.Md. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-02-2019 Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 30.10.2018 in a case registered for the offences punishable under Sections 147, 148, 149, 323, 427, 279, 336, 338 and 307 of the IPC, Section 27 of the Arms Act and Sections 3/4 of the Explosive Substances Act.

The prosecution case, as per the written report of Santosh Yadav, dated 28.10.2018 submitted to the Station House Officer, Kadamkuan Police Station, is to the effect that on the same day at about 11 A.M., Ganga Sahni dashed with his e-rickshaw to the WagonR car of the informant, damaging the luggage board and back glass of the car. After dashing the car, Ganga Sahni escaped from the scene leaving the e-rickshaw. After some



times, some people took away the alleged e-rickshaw. It is further alleged that on the same day at about 7 P.M., 30 to 40 persons came armed with lathi, danda and iron rod and started damaging the parked car and the shops, whereas some of them also threw explosives and resorted to fire, as a result, one Santosh Kumar received gunshot injury, leading to registration of FIR against 12 known and 20 to 25 unknown persons. The petitioner was named in the FIR as the person, who was instigating the mob.

It is submitted by learned counsel for the petitioner that the accusation is omnibus and general against the mob and the informant has subsequently retracted from his initial version. A statement has been made in paragraph no.3 of the petition that the petitioner is involved in three other cases also.

Learned APP submits that the petitioner is named in the FIR.

Considering the fact that the informant has retracted from his initial version and the period under custody, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM-VII, Patna in connection with Kadamkuan P.S. Case No. 656 of 2018.



Learned Court below would be at liberty to cancel the bail bonds of the petitioner if he defaults for two consecutive occasions or if he gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

Amrendra/-

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