

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18684 of 2019

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

Chandan Sahani Son of Sagar Sahani, R/o Sandalpur East Bazar Samiti, P.S.-
Bahadur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-03-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is languishing in custody since 06.12.2018 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 boot and back glass of the car. After dashing the car, Ganga Sahni escaped from the scene leaving behind the e-



rickshaw. After some time, 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 hurled 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 is named in the FIR.

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. It is further submitted that similarly situated co-accused Billa Sahani has been granted bail by this Court, vide order dated 04.02.2019, passed in Cr. Misc. No. 5992 of 2019 and co-accused Moti Sahani and Vicky Kumar Sahani have been granted bail by a Co-ordinate Bench of this Court, vide order dated 25.02.2019, passed in Cr. Misc. No. 10934 of 2019. A statement has been made in paragraph no.3 of the petition that the petitioner is involved in three other cases also. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in



the FIR.

Considering the fact that the informant has retracted from his initial version, similarly situated co-accused persons have been granted bail by this Court and the period under custody, coupled with the statement made in paragraph no.3 that the petitioner is not having any criminal antecedent, 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.

(Dinesh Kumar Singh, J)

Amrendra/-

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