

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32377 of 2020

Arising Out of PS. Case No.-143 Year-2019 Thana- UCHKAGAON District- Gopalganj

MANOJ SAHANI Son of Lalan Sahani Resident of Village - Barari Jagdish,
P.S.- Uchkagaon, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-12-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner seeks bail in Uchakagaon P.S. case No. 143/2019 registered u/s 341, 323, 307, 302, 447, 504, 506/34 of the IPC and u/s 27 of the Arms Act.

The informant alleged that Barat arrived at the door of Shankar Sahni. The accused persons came and started searching and calling Shankar Sahni. The informant forbade calling of Shankar Sahni. On such, Manoj Sahni, the petitioner, ordered to shoot. Biresh Sahni put Shankar Sahni on the ground and sat on his chest. Amarjit Sahni fired in the head of Shankar Sahni. When Santosh came to save the accused persons assaulted him with iron rod, Lathi and other weapons. During treatment,



Shankar Sahni died. Other accused persons, namely, Ruman Sahani, Jyotish and others assaulted the informant with iron rod.

The learned counsel for the petitioner submits that petitioner is order giver. 11 persons are named in the FIR. There is only one fire arm injury in the head of Shankar Sahni which is attributed to Amajit Sahni. Other accused persons have already been granted bail vide order passed in Cr. Misc. Nos. 53420/2019, 11160/2020 and in Cr. Misc. No. 86357/2019. The petitioner is in custody since 05.02.2020.

Taking into consideration the facts that similarly situated other accused persons have already been granted bail, the petitioner is order giver and he has remained in jail for more than 10 months, the petitioner, above named, is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IX, Gopalganj in connection with Uchakagaon P.S. case No. 143/2019.

(Prabhat Kumar Jha, J)

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