

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73691 of 2019

Arising Out of PS. Case No.-141 Year-2018 Thana- TAJPUR District- Samastipur

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SANJIT SAHANI @ GABBAR SAHANI S/O Late Vishwanath Sahani
Resident of Village - Harpur Bhindi, P.S.- Tajpur, District- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lal Babu Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 307, 323, 324, 34, 341, 35 of the Indian Penal Code and 25(1-B)(a), 26 and 27 of the Arms Act.

The prosecution case in short is that while the informant was on the way, the accused persons, variously armed, assaulted him due to which he sustained injury.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.7.2019. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of confession of co-



accused. Except for this, there is no substantive evidence to suggest his implication in the present case. The petitioner has not been put on T.I.P. to ascertain his participation in the present case. There is no recovery of arms from the conscious possession of the petitioner though there is recovery of country made pistol from the place of occurrence.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -I, Samastipur in connection with Tajpur P.S. Case No. 141 of 2018.

(Sudhir Singh, J)

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