

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12141 of 2021

Arising Out of PS. Case No.-224 Year-2018 Thana- PATEPUR District- Vaishali

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VIJAY SAHANI @ RAJA SAHANI S/o Late Ramdhani Sahni R/o Village-
Dih buchauli, P.S.- Jandaha, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Chandra

For the Opposite Party/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 364, 120B, 302, 201 of the Indian Penal Code, u/s 27 of Arms Act and u/s 13, 16, 19, 20 of the U.A.P. Act.

As per the prosecution case, on the alleged date and time of occurrence, while the husband of the informant and co-villager, Ramesh Jha, were returning homes after irrigating their field, they were surrounded at the canal's bridge by accused persons including this petitioner. It is further alleged that when wife of Ramesh Jha called on mobile phone of her husband, who told her that they have been surrounded by the accused persons, including this petitioner on bridge with fire arms. They told the informant and others to return back, otherwise, they will



be killed.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. The informant is not an eye witness of the occurrence and petitioner and his whole family have been implicated in the case due to prior enmity. Similarly situated accused Hemant Sahni and Asheshwar Sahni have already been granted bail by this court vide orders dated 01.07.2021 and 08.07.2021 passed in Cr. Misc. No. 13972/2021 and Cr. Misc. No. 20947/2021, respectively. Petitioner is in custody since 25.02.2020 and investigation in this case is complete.

Learned counsel appearing for the State and informant opposed the prayer for bail and submits that petitioner has got criminal antecedent and petitioner and other accused persons, named in the FIR, committed the murder of the deceased.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-X, Vaishali at Hajipur in connection with Patepur PS case No. 224/2018 on the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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