

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19437 of 2021

Arising Out of PS. Case No.-222 Year-2020 Thana- RAJNAGAR District- Madhubani

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Arun Sahani @ Arun Kumar Sahani Son Of Upendra Sahani R/O Village-
Rampatti (SRIGANJ), P.S.- Rajnagar, District- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s :	Mr. Vikramdeo Singh, Advocate
	Mr.Sanjay Kumar, Advocate
For the Opposite Party/s :	Mr.Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 01-11-2021 Heard Mr. Vikramdeo Singh, learned counsel for the

petitioner assisted by Mr. Sanjay Kumar, learned Advocate and

learned Mr. Akhileshwar Dayal, A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Rajnagar P.S. Case No. 222 of 2020
registered for the offences punishable under Section 341, 504,
323, 307, 302, 34 of the Indian Penal Code and Section 27 of
the Arms Act. He is in custody since 19.10.2020 having no
criminal antecedent as stated in paragraph '3' of the application.

Learned counsel for the petitioner submits that from
the First Information Report, it would appear that on the issue of
distribution of 'Prasad' during Kamla Puja which was organized
in the house of the informant a dispute broke out between the
parties and in the said dispute allegedly co-accused Laxman



Sahni had fired upon the nephew of the informant as a result whereof he became injured and died in course of treatment.

Learned counsel submits that so far as this petitioner is concerned, there is no allegation of firing against him and from the reading of the F.I.R. itself it would appear that the alleged firing took place in course of petty dispute.

Mr. Akhileshwar Dayal, learned A.P.P. for the State, however, submits that in course of investigation on the one hand the informant and the witnesses in paragraph 7, 8 & 9 have stated that it was Laxman Sahni who had fired upon the deceased, contrary to that in paragraph 13 & 14 two witnesses have stated that it was the firing made by this petitioner upon the deceased which proved fatal and he died.

Learned A.P.P. submits that in course of investigation, the supervision has been done by the Sub-Divisional Police Officer and in his supervision note he has referred the statement of the two witnesses who have stated that this petitioner had fired upon the deceased.

Considering the facts and circumstances of the case wherein two different versions of the alleged occurrence has come on the record, and police has submitted charge-sheet against Laxman Sahni as well as this petitioner, at this stage,



this Court is not inclined to release the petitioner on bail.

Prayer for regular bail of the petitioner is, thus, refused.

This court has been informed that the trial has already proceeded and two witnesses have already been examined in course of trial. This Court expects that the trial court shall proceed with the trial and conclude the same as early as possible preferably within a period of six months from the date of communication of this order.

Let the records of this case be kept in physical court and on shorter date the matter be taken up.

This application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

