

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28177 of 2021**

Arising Out of PS. Case No.-3 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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LAXMAN SAHNI @ LAXMAN CHOUDHARY Son of Satya Narayan
Sahni @ Satya Narayan Choudhary Resident of Village- Ladora, P.S.-
Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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(The proceedings of the Court are being conducted through Video Conferencing and
the Advocates joined the proceedings through Video Conferencing from their
residence.)

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar, Adv

For the Opposite Party/s : Mr.Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-06-2021 Heard learned counsel for the parties.

Petitioner apprehend his arrest in a case registered for
the offence punishable under Sections 302/120B of the Indian
Penal Code.

Amarjeet Sahni is said to have taken Rs.40,000/- from
the husband of the informant and on demand of money he had
called her husband at Barrage of village whereupon her husband
went there along with Ramesh Thakur. This petitioner and other
named accused took liquor there and thereafter Amarjeet Sahni
and Ramesh Thakur took her husband on the motorcycle to
unknown place and gunned him down.

It is submitted by learned counsel for the petitioner that

no such occurrence as alleged ever took place. Petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in this case due to dirty village politics and animosity. Only allegation against this petitioner is that he had taken liquor along with other co-accused and the deceased at Barrage and there is no allegation of taking any money by the petitioner from the deceased or taking him away and gunning him down over the said money. The said allegation is attributed to Ramesh Thakur and Amarjeet Sahni. The deceased was having criminal antecedent and altogether ten criminal cases are pending against him. Similarly situated co-accused persons have been granted bail by co-ordinate benches of this Court vide order dated 02.03.2019 passed in Criminal Miscellaneous No. 18673 of 2019 and 05.04.2019 passed in Criminal Miscellaneous No. 24331 of 2019.

Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of four weeks from today upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is

pending, in connection with **Samastipur (M) PS Case No. 3 of 2019**, subject to the conditions laid down under Section 438(2) of the Cr.P.C with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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