

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31531 of 2020**

Arising Out of PS. Case No.-221 Year-2017 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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RAJA SAHANI Son of Mahesh Sahani Resident of Village - Lohiya Nagar,
Ward No. 28, Panhas, P.S. Nagar, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhubneshwar Prasad
For the Opposite Party/s : Mr.Kalyan Shankar

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

4 07-01-2021 Heard learned counsel for the parties.

This application for regular bail arises out of Begusarai Muffasil P.S. Case No. 221 of 2017, disclosing the offence punishable under Sections 394, 302 of the Indian Penal Code.

The FIR was registered against unknown. The informant, according to the FIR, was employed at a petrol pump. Allegedly, four persons came to the petrol pump in motorcycles and asked the informant to fill up one of the vehicles with petrol. By the time the informant had filled the petrol in the vehicle of the miscreants and was about to put back the nozzle back, he saw two of them pointing pistol towards the informant. One of the miscreants proceeded towards the cash



counter and started taking away the cash. It is further alleged that one of the miscreants opened fire leading to death of *Munshi*, who was managing at the cash counter.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner is in custody since 20.07.2017. He has further submitted that there is no eye-witness to the occurrence and the petitioner has not yet been put on T.I. Parade. He has further argued that other similarly situated persons have been allowed regular bail by this Court.

From the statement made in paragraph 3 of the application it transpires that the petitioner is accused in following ten cases, all of which are of serious nature :-

- (i) Begusarai Town P.S. Case No. 235 of 2005, U/s 147, 341, 323, 347, 504, 307 of IPC in which the petitioner is on bail.
- (ii) Singhia P.S. Case No. 49/12 u/s 147, 148, 149, 341, 323, 307 of IPC in which the petitioner is on bail.
- (iii) Rosera P.S. Case No. 128/2017 u/s 392 of IPC and 27 of the Arms Act in which the petitioner is on bail.
- (iv) Nayagaon P.S. Case No. 56/2007 u/s 392, 394, 411, 482, 483 of IPC in which the petitioner is on bail.
- (v) Begusarai Muffasil P.S. Case No. 226/2017 u/s 394/302 of IPC and 27 of the Arms Act, which is pending before the court below.
- (vi) Begusarai Muffasil P.S. Case No. 231/2017 u/s 414/120-B, 226-A of IPC and



25(1-b)/26 of Arms Act, which is pending before the court below.

(vii) Sahebpur Kamal P.S. Case No. 122/2017 u/s 394 of IPC which is pending before the court below.

(viii) Musrigharari P.S. Case No. 30/2017 u/s 393 of IPC which is pending before the court below.

(ix) Kishanganj P.S. Case No. 231/2017 u/s 394 of IPC which is pending before the court below.

(x) Nagar P.S. Case No. 109/2018 u/s 45(1) (xii) of Prisoners Act which is pending before the court below.

Considering the long criminal history of the petitioner and the gravity of the offence alleged, I am not inclined to grant the petitioner privilege of regular bail for the present.

This application is accordingly rejected.

If there is no substantial progress at the trial, the petitioner shall be at liberty to renew his prayer for bail after six months.

(Chakradhari Sharan Singh, J)

Rajesh/-

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