

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13626 of 2021**

Arising Out of PS. Case No.-310 Year-2018 Thana- JANDAHA District- Vaishali

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Hemant Sahni @ Hemant Kumar@Hemant Himanshu, Son of Amarnath
Sahani, Resident of Village - Dih Buchauli, P.S.- Jandaha, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nityanand, Advocate

For the Opposite Party/s : Ms.Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-08-2021 The matter has been taken up today for consideration
through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Jandaha
P.S. Case No.310 of 2018 registered for the offence punishable
under Sections 147, 148, 149, 302, 307, 326, 384 of the Indian
Penal Code, Section 27 of the Arms Act, Section 3 of the
Explosive Act and Sections 13, 16, 19 and 20 of the U.A.P. Act.

Ten miscreants have come with their faces covered



and shot at the informant's brother, leading to his death. The killing is motivated by the demand for *Rangdari*.

It is submitted by the petitioner's counsel that the informant and the petitioner are of the same village, however, the petitioner has not been named in the F.I.R. Confessional statement of co-accused Ritu Devi has led to the petitioner's implication as an accomplice. There is no recovery of any incriminating material from the petitioner to connect him with the alleged occurrence. Ritu Devi on whose statement the petitioner has been implication, has been allowed bail in Cr.Misc. No.43046 of 2019. Several other co-accused persons have since been granted bail as per Annexure 2 of the bail application. Petitioner continues to be in custody in this case since 11.03.2019.

Learned APP for the State has opposed the prayer for bail. She has submitted that the petitioner's name has been stated by the co-accused.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 the Sub-Divisional Judicial Magistrate, Vaishali
at Hajipur, in connection with Jandaha P.S. Case No.310 of
2018, subject to the following conditions:

(i) That one of the bailors will
be a close relative of the petitioner who
will give an affidavit giving genealogy as
to how he is related with the petitioner.
The bailor will also undertake to inform
the court if there is any change in the
address of the petitioner.

(ii) That the petitioner will be
well represented on each date and if he
fails to do so on two consecutive dates,
his bail bond will be liable to be
cancelled.

(Madhuresh Prasad, J)

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