

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48450 of 2021

Arising Out of PS. Case No.-124 Year-2021 Thana- KHAGARIA District- Khagaria

Sikandar Sahni @ Sakindra Sahni @ Sikandara Sahni, S/O Brahmdeo Sahni
Resident of village - Ram Tola, Kothiya, P.S. - Khagaria (Muffasil), District -
Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-03-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Khagaria
(Muffasil) P.S. Case No. 124 of 2021 registered for the offence
under Sections 341, 323, 325, 307, 504, 506/34 of the IPC and
Section 27 of the Arms Act.

As per allegation in the FIR, the petitioner along with
other accused persons came at the door of the informant and
took him away after enticing him with a towel in his mouth and
neck to assault him by butt of gun caused him injuries in legs,
hands and head. They also opened fire during the course of
scuffle as none came to save him. Thereafter, on phone call of
her daughter, police came and saved him.



Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case only on the basis of suspicion. He further submits that it appears from the FIR that there is general and omnibus allegation against the accused persons including the petitioner. There is no specific allegation of overt act against this petitioner. He further submits that some of the injuries are simple in nature and some of the injuries are grievous in nature and the injuries are on non-vital part of the informant. Petitioner is in custody since 14.02.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that he carries five more cases other than the present one.

Considering the facts and circumstances of the case, 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 learned C.J.M., Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 124 of 2021 with 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 absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner.

However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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