

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39421 of 2022

Arising Out of PS. Case No.-177 Year-2022 Thana- KOILWAR District- Bhojpur

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Amit Sahani @ Amit Kumar S/O Satya Narayan Sahani Resident of Village-
Koilar, Ward No.- 8, P.S.- Koilar, District- Bhojpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 02-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

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

Petitioner seeks regular bail in connection with
Koilar P.S. Case No. 177 of 2022 registered for the offences
punishable under Sections 341, 323, 307, 379, 504 and 34 of
the Indian Penal Code.

As per the prosecution, the informant in his fardbeyan
has alleged that while he was returning back to his home, at the
alleged place the petitioner along with other co-accused persons
were already present and on seeing the informant they started
abusing and assaulted him, meanwhile one co-accused Santosh



Sahani gave an iron rod blow on the head of the informant with an intention to kill him. The informant further alleged that the accused persons snatched a sum of Rs.25000/- from his possession.

The main submissions advanced by the learned counsel Mr. Sanjeet Kumar Singh appearing for the petitioner are that the petitioner and his two brothers have been made accused in this case, against him there is no specific allegation and the allegation made in the FIR against the petitioner is general and omnibus, in the FIR any motive on the part of the petitioner to commit the alleged occurrence has not been revealed and the police station concerned is at a distance of one kilometer from the alleged place of occurrence but the FIR was lodged after one week which casts a doubt on the prosecution's allegation. Further submission is that the petitioner has been languishing in jail since 12th April, 2022 having clean antecedent.

Learned APP Mr. Jai Narain Thakur appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR and the order impugned. Though altogether seven injuries were found on the body of the informant Rajendra Rai but most of the



injuries were found bruise and co-accused Santosh Sahani is alleged to have assaulted at the head of informant but there is no specific allegation of assault against the petitioner and he has clean antecedent as per the statement made in paragraph No. 3 of his petition and he has been languishing in jail since 12th April, 2022. Considering these facts, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner 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 concerned Court in connection with Koilwar P.S. Case No. 177 of 2022.

(Shailendra Singh, J.)

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