

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47343 of 2022

Arising Out of PS. Case No.-123 Year-2007 Thana- RAMGARH District- Kaimur (Bhabua)

TOOFANI SAH @ TUFANI SAH Son of Bhola Sah Resident of Village -
Narwar, P.s.- Dinara, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Alka Singh, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 02-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has renewed his prayer for grant of
bail in a case registered under sections 307, 341, 323, 452 and
34 of the Indian Penal Code and section 27 of the Arms Act.

The earlier application for bail of the petitioner was
rejected vide order dated 18.1.2022 passed in Cr. Misc.
no.26162 of 2021.

As per the prosecution case, the petitioner is said to
have fired on the son of the informant seriously injuring him.

It is submitted by learned counsel for the petitioner
that the the petitioner has been falsely implicated in the case. In
a case under section 307 of the Indian Penal Code, the petitioner
is in custody since 28.1.2021 mainly for the reason that due to



lack of instructions, he had not surrendered in the Court below in a case of the year 2007. The petitioner undertakes to cooperate in the trial.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the case against petitioner being one under section 307 of the Indian Penal Code together with the petitioner having remained in custody since 28.1.2021, the petitioner is directed to be enlarged on bail in connection with S.Tr. No.37 of 2021 (arising out of Ramgarh P.S. Case no. 123 of 2007) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-III, Kaimur at Sasaram on the following conditions:

(i) One of the bailors of the petitioner shall be his wife/close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial and shall cooperate in the trial.

(Partha Sarthy, J)

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