

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66790 of 2021

Arising Out of PS. Case No.-78 Year-2020 Thana- DUMARIAGHAT District- East
Champaran

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SINGHASHAN SAHANI @ SIHASHAN SAHANI @ SINGHASAN
SAHNI Son of Ram Baran Sahani Resident of Village - Sarotar, P.S. -
Dumariya Ghat, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Adv.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-04-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 307 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the eleven named accused persons are said to have come variously armed and of having indiscriminately assaulted the informant and his brother and of having looted various articles mentioned in the F.I.R.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. From perusal of the F.I.R. itself, it would transpire that the allegation of overt act is against the accused Birapan Sahni, Ajay Sahni,



Lakhan Kumar, Basant Kumar and Awajit Kumar and not the petitioner herein. As per oral instructions received, the informant died subsequently. The petitioner is in custody since 3.8.2021 and investigation in the case has concluded. He has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the narration in the F.I.R. specially the fact that the petitioner has not been named as an assailant therein together with the petitioner having remained in custody for 8 months, the Court directs the petitioner to be enlarged on bail in connection with Dumariyaghat P.S. Case no.78 of 2020 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 Chief Judicial Magistrate, East Champaran, Motihari.

(Partha Sarthy, J)

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