

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12705 of 2022

Arising Out of PS. Case No.-314 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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HARI OM SAHANI S/O PYARE SAHANI R/o village- Rasmandal, P.S.-
Pipra, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Karandeep Kumar
For the Opposite Party/s : Mr.Rajiv Nayan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-01-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in connection with
Muffasil P.S. Case No. 314 of 2021 registered for the offence
punishable under sections 147, 148, 149, 341, 342, 323, 324,
325, 307, 302, 120(B) of the Indian Penal Code and sections 3/4
of the Explosive Substance Act.

The allegation against the petitioner is of committing
murder of nephew of the informant due to previous enmity.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case on the
basis of self confession. No incriminating article has been
recovered from the place of occurrence to connect this petitioner



with the present occurrence. It is also submitted that if the version of FIR is taken to be true, on its face, then the specific allegation is against co-accused Baleshwar Sahani and Anil Kushwaha as regard to firing and causing death to nephew of the informant. Petitioner is in custody since 04.10.2021. Similarly situated other co-accused persons have already been granted regular bail by different co-ordinate Bench of this Court vide order dated 23.08.2022 and 17.11.2022 passed in Cr. Misc. No. 12428 of 2022 and 36698 of 2022 respectively.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Muffasil P.S. Case No. 314 of 2021.

(Sunil Kumar Panwar, J)

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