

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14439 of 2023

Arising Out of PS. Case No.-471 Year-2022 Thana- PAROO District- Muzaffarpur

CHOTELAL SAHNI @ CHHOTELAL SAHANI S/O LATE MANNU
SAHNI Resident of village- Basantpur, P.S.- Paroo District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Nandan, Advocate

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-06-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 10.11.2022 in connection with Paroo P.S. Case No. 471 of 2022, F.I.R. dated 03.10.2022 registered for the offence punishable under Sections 341, 323, 147, 148, 149, 302, 304, 120(B), 504, 506 of IPC and Sections 25(1-b)a/26/27 of Arms Act.

The prosecution case, in short, is that the informant alleged that on 01.10.2022 he found two dead bodies either side of the road. They were identified as Pankaj Sahani and Bhutkun Bhagat. A pistol was lying near the right hand of dead body of Bhutkun Bhagat. It seemed that they have been murdered as there was a shot mark on the chest of Pankaj Sahani. On inquiry,



it is revealed that both deceased were roaming on the motorcycle of Bhutun Bhagat in the evening and came to the house of Ranjeet Singh. The deceased persons said to come to their house for a liquor party. They all went and consumed a liquor at 2300 hours and thereafter both started for their residences but quarreled on the way. Bhakun Bhagat then shot to Pankaj, Pankaj had fallen down. The petitioner caught the Bhutkun and raised a hullah. Then people of Sahani Samaj came and assaulted Bhukun Bhagat to death.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that from bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act against the petitioner rather there is general and omnibus allegation against the petitioner and the deceased Pankaj Sahani is the own nephew of the petitioner and during investigation it has come that the CDR location of the mobile of petitioner was found at the place of the occurrence and except the aforesaid, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present case and the police, after investigation, has submitted the chargesheet against the



petitioner and the petitioner is in custody since 10.11.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, 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 J.M.-1st (West), Muzaffarpur in connection with Paroo P.S. Case No. 471 of 2022, 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(3) 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 antecedent, 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)

Nitesh/-

U		T	
---	--	---	--

