

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37346 of 2023

Arising Out of PS. Case No.-741 Year-2019 Thana- KHAGARIA District- Khagaria

=====

Dharmbir Sahni @ Dharmvir Kumar Son Of Sikandar Sahni @ Sikandra
Sahni Resident Of Village - Ramtola, Kothiya, P.S. - Khagaria, Distt. -
Khagaria

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Adv.

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-07-2023 Let the defect(s), if any, be removed within two
weeks from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Khagaria (Muff.) P.S. Case No. 741 of 2019 registered on
28.09.20219 lodged under Sections 341, 323, 307, 504/34 of the
I.P.C. and Section 27 of the Arms Act.

4. As per the prosecution case, dispute took place on a
trivial issue and Co-accused Ashok Kumar fired upon the leg of
the informant with intention to kill him due to which injury took
place in his leg.

5. Counsel for the petitioner submits that nothing

specific has come against the present petitioner. Counsel submits that the petitioner moved for grant of anticipatory bail before this Court vide Cr. Misc. No. 16355 of 2021 and the same was allowed on 11.01.2022. He further submits during COVID-19 period there was communication gap due to which the petitioner did not appear within the prescribed period of surrender in the light of his anticipatory bail. Subsequently, after the end of COVID-19 the petitioner surrendered before the Court below, as he could not comply the order passed by the Hon'ble Court his bail application was rejected, due to this reason he moved before this Court.

6. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 12.10.2022 having three criminal cases pending against him, in which he is on bail in two cases.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Khagaria in

connection with Khagaria (Muff.) P.S. Case No. 741 of 2019, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

9. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

Ashishsingh/-

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