

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40233 of 2023**

Arising Out of PS. Case No.-185 Year-2021 Thana- CHIRAIYA District- East Champaran

Kameshwar Sahani Son Of Ramakant Sahani Resident Of Village-Godiya,
Police Station-Sikarganj, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari

For the Opposite Party/s : Mr.Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

3. The petitioner has preferred this application for grant of regular bail in connection with Chiraiya P.S Case No. 185 of 2021 G.R. Case No. 970 of 2021 dated 10.07.2021 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons surrounded the informant and started abusing him. In the meantime, the co-accused Birbal Sahani



ordered to kill the informant's brother, upon which the petitioner and the co-accused Sunil Sahani assaulted the brother of the informant with knife. It is further alleged that other accused persons snatched Golden chain and cash.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 06.04.2022 passed in Cr. Misc. No. 56921 of 2021. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 20.04.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that there is specific allegation of inflicting blow of knife against the petitioner and the co-accused Sunil Sahani.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, (East Champaran) Sikarhana at Dhaka in connection with Chiraiya P.S Case No. 185 of 2021 G.R. Case No. 970 of



2021, with the condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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