

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45126 of 2022

Arising Out of PS. Case No.-100 Year-2021 Thana- JANDAHA District- Vaishali

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Arun Sahni Son of Late Suman Sahni Resident of village - Saharathi, P.S.-
Jandaha, District - Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Nibash Prasad, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 13-02-2023 Let the defects, if any, pointed out by the office be removed within two weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Jandaha P.S. Case No. 100 of 2021 registered for the offences punishable under Sections 147, 148, 149, 323, 325, 337, 504, 307 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution, the informant has alleged that his neighbourer namely Dheeraj Kumar had went to the market (pethia) where a quarrel took place between him and one Manoj



Sahani over a motorcycle crash, thereafter the accused Manoj Sahani with other co-accused persons brutally assaulted Dheeraj Kumar. Further, it is alleged that the present petitioner along with other co-accused persons and about 200 unknown persons armed with weapons like bricks, stones, pistol etc. arrived at the alleged place and started pelting stones and opened fire as a result of which the informant and his cousin sustained fire-arm injury at their thigh and knee respectively.

The main submissions advanced by the learned counsel Mr. Ram Nibash Prasad for the petitioner are that the petitioner has been languishing in jail since 02.06.2022 and in the FIR there is no specific allegation against him and one co-accused namely Ranjit Sahni @ Ranjit Kumar Sahni has been granted Anticipatory Bail by the co-ordinate Bench of this Court vide order passed in Cr. Misc. No.54538 of 2021 and some of the co-accused persons namely Golu Sahni and Manoj Sahni have been granted Regular Bail by different benches of this Court vide orders passed in Cr. Misc. Nos. 53811 of 2021 and 54031 of 2021 respectively and the case of the present petitioner stands on similar footing from them.

Learned APP Mr. Suresh Prasad Singh appearing for the State has opposed the bail prayer.



Having considered the above submissions and mainly the facts that altogether 200 unknown and 10 named persons were alleged to have committed the alleged occurrence and against the petitioner there is no specific allegation in the FIR and some of the named co-accused persons carrying similar nature of allegation have been granted bail by different benches of this Court vide orders passed in above-mentioned Cr. Misc., in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner 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 the concerned Court in connection with Jandaha P.S. Case No. 100 of 2021.

(Shailendra Singh, J)

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