

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49859 of 2022

Arising Out of PS. Case No.-310 Year-2018 Thana- JANDAHA District- Vaishali

Amarnath Sahni, Son of Asheshwar Sahni, R/O Village - Dih Buchauli, P.S.-
Jandaha, District - Vaishali at Hajipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 26-07-2023 Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned APP for the State.

2. By filing this application, the petitioner has renewed his prayer for bail in connection with Jandaha P.S. Case No. 310 of 2018 registered for the offences punishable under Sections 147, 148, 149, 302, 307, 326, 384 of the Indian Penal Code, Section 27 of the Arms Act, Section 3 of the Explosive Act and Section 13, 16, 19, 20 of the Unlawful Activities Prevention Act, 1967. He has eleven criminal antecedents. He is in custody since 13.08.2019.

3. Earlier vide order dated 12.08.2021 passed in Cr. Misc. No. 8832 of 2021, this Court rejected the prayer for bail of the petitioner after realizing that the petitioner has been identified by the two injured witnesses and the prosecution is under UAPA as also the petitioner has got criminal antecedents of eleven cases which are of serious nature.



4. Learned counsel for the petitioner submits that except the petitioner, all other co-accused have been granted bail.

5. In its order rejecting the prayer for bail, this Court has duly considered the submission and found that the case of the petitioner is fit to be dismissed.

6. A report has been received from the learned trial court from which it appears that the case is at the stage of framing of charge. One of the co-accused has filed a discharge petition, thus, it is pending for the conclusion of the discharge petition.

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

8. Considering the nature of the offence alleged and the criminal antecedents of the petitioner, this Court is not inclined to grant privilege of bail to the petitioner once again at this stage.

9. The petitioner may renew his prayer for bail after deposition of the injured witnesses in course of trial. Such application may be filed in the learned trial court after completion of deposition of the injured witnesses which will be considered in accordance with law.

10. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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