

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57787 of 2023

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

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LAL BABU SAHANI @ LAL BABU KUMAR, aged about 45 years,
Gender- Male, SON OF RAJDEO SAHANI, RESIDENT OF VILLAGE-
BASANTPUR, PS- PAROO, DISTT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Advocate

For the Opposite Party/s : Ms.Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-09-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Paroo P.S. Case No. 471 of 2022 dated 03.10.2022
registered for the offence(s) punishable under Section(s) 341,
323, 147, 148, 149, 302, 304, 120(B), 504, 506 of the Indian
Penal Code and Sections 25(1-b)/26/27 of the Arms Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the FIR goes to show that 17
named including the petitioner and 10 to 15 unknown persons
have been made accused in the FIR and the FIR also goes to
show that the alleged incident was not pre-planned and same
took place on account of liquor party, organized by co-



accused/Ranjit Singh, Sarpanch of Lalu Chapra Panchayat and in that party, some altercation took place in between the victim and others and thereafter as per allegation, deceased/Bhutkun Bhagat fired at other victim Pankaj Sahani and thereafter as per the allegation, this petitioner and co-accused persons, who are stated to be in a large number, thrashed the victim/Bhutkun Bhagat to death but the said allegation is against many persons and specific role of the petitioner has not been revealed in the said occurrence, in fact the petitioner was not present at the place of occurrence when the alleged offence was committed and he was in Kolkatta at that time and moreover, one co-accused, namely, Daya Sahani @ Dayanand Sahani, carrying similar nature of allegation, has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.32782 of 2023 and petitioner has fair and clean antecedent.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the nature of allegation appearing against this petitioner from the FIR as well as his fair and clean antecedent, mentioned in paragraph no.3 of the petition, in my opinion, in the said circumstances, petitioner deserves to the privilege of



anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Paroo P.S. Case No. 471 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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