

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65333 of 2023

Arising Out of PS. Case No.-222 Year-2022 Thana- SARAI District- Vaishali

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Baiju Sahani @ Baiju Kumar Sahani @ Baiju Sahni @ Baiju Sahni Sahni S/O
Bhulli Sahani R/O Village- Paura Madan Singh, P.S- Sarai, Distt.- Vaishali.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 149, 447, 341, 323, 337, 338, 354(A), 504, 506 of the Indian Penal Code, Section 8 of the POCSO Act and section 27 of Arms Act.

3. As per prosecution case, FIR named accused persons including the petitioner came at the house of the informant and started abusing and pelting stones. This petitioner and co-accused Sudhi Sahni also tried to outrage of the modesty of gran-daughter of the informant. The accused persons also opened fire at the time of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to dirty village politics.



It is submitted vide para-11 of the petition that the real fact is that the informant and her accomplices are anti-social elements who forcibly captured the western pond by filling sand and soil in favour of Matsjivi Sahyog Samiti, in which the petitioner is member. It is also submitted that the accused persons are alleged to have opened fire but the same did not hit anyone. The petitioner has got no criminal antecedent and languishing in judicial custody since 11.6.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Sarai P.S. Case No. 222 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-VI-cum-Spl Judge POCSO, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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