

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70299 of 2022

Arising Out of PS. Case No.-752 Year-2020 Thana- TURKAULIYA District- East
Champaran

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Pandav Sahani @ Pando Sahani, S/o Madan Sahani R/o Village-
Raghunathpur, Ward No.09, P.O.-Raghunathpur, P.S.-Turkauliya
(Raghunathpur), Distt- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The accused/petitioner is named in the FIR and apprehending his arrest in connection with Turkauliya (Raghunathpur) P.S. Case No.752 of 2020 registered for the offences punishable under Sections 341, 323, 307, 334, 379, 427, 504 and 506 read with 34 of the Indian Penal Code.

The allegation against the petitioner is to assault informant along with other co-accused persons and also tied his neck by *gamchcha*, having intention to cause death, where occurrence is alleged to be founded upon land dispute.

It is submitted by learned counsel that the allegation as per narration of FIR is appearing very much



general and omnibus against this petitioner. It is submitted that as petitioner is neighbour of the informant, having dispute related with raising of boundry wall, the present false implication was made. It is submitted that it appears highly improbable that all accused persons, who are seven in numbers collectively pressed the neck of informant by using *gamchcha*, where no injury was caused to informant and, as such, the implication is only with a view to import the ingredients of Section 307 of the Indian Penal Code. While concluding argument, it is pointed out that petitioner is a man of clean antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer of bail.

In view of the above-mentioned facts and circumstances and by taking note of nature of allegation where admittedly no injury was found upon informant, accordingly, above-named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks of this order, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with



Turkauliya (Raghunathpur) P.S. Case No.752 of 2020, subject to the conditions as laid down under Section 438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

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