

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21720 of 2024

Arising Out of PS. Case No.-459 Year-2023 Thana- CHIRAIYA District- East Champaran

Rameshwar Sahani Son of Late Parma Sahani Resident of vill.-Semra, P.S.-
Chiraiya, Distt.-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 04-04-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Chiraiya P.S. Case no.
459 of 2023 registered under sections 307, 379, 341, 323, 324,
504 and 34 of the Indian Penal Code.

3. As per the prosecution case, it is stated that on
the orders of the petitioner, the other accused persons started to
assault the informant and others. Subhash Sahni gave a knife
blow on the informant causing serious injuries. It is further
stated that the petitioner and others pressed the neck of the
informant.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. Even as per
the allegations in the F.I.R, the petitioner is said to be the order
giver. With respect to the allegation of the petitioner having
pressed the neck of the informant, it is stated that the informant



has not sustained any injury on his neck. The petitioner is in custody since 10.12.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R, there being no injury attributable to the petitioner on the informant as would be evident form perusal of the injury report mentioned in the order of the learned trial Court, the petitioner being in custody for over 3 months since 10.12.2023, not having any criminal antecedent and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Chiraiya P.S. Case no. 459 of 2023, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- 1st Class, Sikrahana, East Champaran at Motihari.

(Partha Sarthy, J)

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