

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34326 of 2024

Arising Out of PS. Case No.-386 Year-2023 Thana- TEGHRHA District- Begusarai

Dinesh Sahni Son of Late Chulbul Sahni Resident of Village - Chilahay,
Police Station - Teghra, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Maharaj, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-05-2024 Heard learned counsel for the petitioner and Mr.

Arun Kumar, learned A.P.P. for the State.

2. The accused/petitioner named in the F.I.R. and apprehending his arrest in connection with Teghra P.S. Case No. 386 of 2023 registered for the offence under Sections 341, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against the petitioner is to open indiscriminate firing on the house of informant alongwith other named co-accused persons having intention to cause death of the informant and his family members, where occurrence alleged to be arises out of land dispute.



4. It is submitted by learned counsel appearing on behalf of the petitioner that allegation of firing is very much general and omnibus against the petitioner like other co-accused persons. It is pointed out that both parties are inmates and same is admitted position through F.I.R. itself. It is submitted that being an eye witness of the occurrence, the informant noticed only two co-accused persons namely, Shiva Sahani and Guddu Sahani having weapon in their hand and, as such, allegation of firing is not appearing convincing *qua* petitioner. It is also pointed out by learned counsel that in the version of F.I.R. taken into consideration that it is about ten round firing which alleged to be made during course of the occurrence, but as per seizure list only one pellet/empty cartridge was recovered from the place of occurrence. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover, during course of occurrence, no one received fire-arm injury.

5. Learned A.P.P. for the State opposes the prayer of anticipatory bail of the petitioner.

6. In view of the aforesaid facts and circumstances



of the case and by taking note of the fact as petitioner was not found with fire-arm/weapon as per version of the informant himself doubting the allegation of firing, accordingly, petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Teghra, District – Begusarai in connection with Teghra P.S. Case No. 386 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

Rajeev/-

U		T	
---	--	---	--

