

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57522 of 2024

Arising Out of PS. Case No.-337 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Ram Briksha Sahni Son of Deepak Sahni @ Dipak Sahani R/O Vill.-
Khanjahapur Mahua Tola, P.S.- Cheria, Bariyarpur, Dist.- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Adv.
Ms. Namita Sharma, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Cheriya Bariyarpur P.S. Case No. 337 of 2023 dated 23.11.2023,
instituted for the offence punishable under Section 307/34 of the
Indian Penal Code.

3. The prosecution case, in short, is that on the date of
occurrence three people came on a motorcycle and the person,
who was sitting at the back was identified as the petitioner, who
fired with country made pistol which hit chest of the informant.
Thereafter, all of them ran away from the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. It is submitted that there is specific allegation against the petitioner who fired on the chest of the informant but there is no gun shot injury mentioned in the injury report. The details of the injury is mentioned in the impugned order which shows that there is no injury mentioned in paragraph no. 37 of the case diary. It is submitted that the informant is a gambling organizer and on the date of occurrence he was gambling with his associates and in gambling he won and later on refused for further gambling for which his associates pressurized him and upon refusal some altercation took place and rival gambler shot fire upon the informant. It is submitted that the petitioner was at Delhi at the relevant time. It is submitted that there is no eye witness to the alleged occurrence. It is also submitted that the petitioner is a daily wage earner. Lastly, it has been submitted that he has one criminal case against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Cheriya Bariyarpur P.S. Case No. 337 of 2023, he shall be released on anticipatory



bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Manjhual, Begusarai, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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