

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72983 of 2024

Arising Out of PS. Case No.-144 Year-2020 Thana- RAJAPAKAR District- Vaishali

Chandra Kishore Sahni @ Chandra Kishor Sahani Son of Shivdhani Sahani
Village -Chausiwan kalyanpur PS -Rajapakar, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Adv.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 306 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including the petitioner are said to have assaulted the informant's brother brutally and disposed his body in a nearby *Baswadi* believing him to be dead. However, the injured was taken to hospital and after seven days of hospitalization, injured Vivek Kumar was declared fit and discharged, but due to humiliating incident of having his face urinated, he took his own life by hanging.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence.



No such occurrence as alleged has ever taken place. He has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. There is lack of clear identification or eye-witness testimony linking the petitioner to the specific act as alleged in the FIR creates serious doubt about his involvement. Learned counsel further submits that the present is not the first FIR related to this case filed by the informant at Rajapakar Thana. Another FIR bearing Rajapakar P.S. Case No. 157/19 had also been filed on 05.07.2019 approximately a year before the present FIR. It is further submitted that there is no specific overt act against the petitioner. He has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since two FIRs were lodged for the same occurrence by the informant, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is



pending/successor Court in connection with Rajapakar P.S. Case
No. 144 of 2020, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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