

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37535 of 2025

Arising Out of PS. Case No.-313 Year-2024 Thana- KHAGARIA District- Khagaria

Prakash Sahni @ Om Prakash Nishad, Male, aged about 60 years, S/O Late Sahdev Sahni, resident of Village- Shobhani, PS- Khagaria, (Gangour), Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Sharma, Advocate
For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Khagaria (Gangour) PS Case No.313 of 2024 dated 09.06.2024, instituted for the offence punishable under Sections 302/34, 120-B of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that on the alleged date of occurrence the accused persons including the petitioner assaulted the father of the informant with legs, fists and butt of the arms due to which his father became unconscious and then accused Rajesh Sahni and Dharamveer Sahni fired bullets on his father as a result of which died at the spot.

4. Learned counsel for the petitioner submits that



there is specific allegation against co-accused Rajesh Sahni and Dharmveer Sahni, who caused firearm injury on the father of the informant. Learned counsel further submits that the petitioner is a retired *Subedar* (General Duty) and he was on duty from 27th February, 2024 to 26th October, 2024, at 21 Assam Rifles, whereas, the date of occurrence is 08.06.2024 and the FIR was lodged on 09.06.2024. Thus, the petitioner was not present on the alleged date and time of occurrence. Lastly, it is submitted that the petitioner is in custody since 05.03.2025 having clean antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria, in Khagaria (Gangour) PS Case No.313 of 2024.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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

