

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77864 of 2024

Arising Out of PS. Case No.-379 Year-2023 Thana- SAHEBGANJ District- Muzaffarpur

Indal Sahni, Son Of Dashrath Sahni, R/O Vill.- Sundrpur, P.S.- Keshariya,
Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Sahebganj P.S. Case No. 379 of 2023 registered for the alleged offences under Sections 341, 323, 307, 304 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, four persons riding two bikes accosted the vehicle of the informant and the petitioner took out a pistol and fired which hit the right hand of the informant. The allegation against the co-accused is that he instigated the petitioner for shooting in the head of the informant. On seeing a four wheeler coming, the accused persons fled away from the spot.



4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The FIR has been registered after delay of seven days for which there is no explanation. The petitioner is resident of a nearby village of the informant and due to village politics, he has falsely been implicated in this case. Though there is allegation of opening fire against the petitioner and the informant claims the shot hit in his hand, the petitioner is not the author of the said injury as the informant himself is a veteran criminal and is having more than ten cases pending against him including the murder cases. Petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the delay in lodging the F.I.R and also considering the clean antecedent of the petitioner coupled with possibility of false accusation, let the petitioner named above, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, 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 Judicial Magistrate-1st Class, Muzaffarpur/ court concerned, in connection with Sahebganj P.S. Case No. 379 of 2023, subject to the condition laid down under section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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