

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82048 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- CHHAURADANO District- East
Champaran

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Sanjay Sah @ Sanjay Prasad son of Kishori Sah R/o village - Mahuawa ,ps -
Mahuawa , District -East champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. The state of Bihar The advocate general Bihar patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prateek Tandon
For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-01-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf of
the informant.
2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 326, 307, 120(B) of the Indian
Penal Code and Section 27 of the Arms Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases out of which two cases are
under the excise act. It is next submitted that petitioner is in
custody since 13.09.2024 and the informant alleges that while he
along with his staff Karma Kumar were sitting at his shop, when
four miscreants on two motorcycles came and fired
indiscriminately, on account of which, informant sustained firearm



injuries on his back. It is further alleged that on account of darkness, the informant could not identify the miscreants. It is also alleged that the occurrence might have been committed at the behest of the named accused persons in the F.I.R. on account of previous dispute.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant based on suspicion. It is next submitted that the informant even implicated his agnate namely Jai Prakash Thakur, who had moved this court seeking regular bail by filing Cr. Misc. No. 76815/2024 and the same was allowed by an order dated 18.01.2025. It is further submitted that in similar manner the informant has implicated the petitioner with whom he was having dispute from before. It is further submitted that the wife of this petitioner had instituted Chhauradano (Mahuwa) P.S. Case No.170/2023 dated 06.06.2023 under Section 307, 354(B), 379, 324 and other minor sections of the Indian Penal Code against the informant and others, as such, the informant took the present occurrence as an opportunity to implicate the petitioner. It is further submitted that petitioner is in custody since 13.09.2024.

5. Learned A.P.P. and the learned counsel appearing on behalf of the informant opposes the prayer for bail of the petitioner but then the learned counsel appearing on behalf of the informant



is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that wife of this petitioner had earlier instituted a case against the informant.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chhauradano (Mahuwa) P.S. Case No.84/2024.

7. However, if the learned trial court comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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