

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5322 of 2015

Arising Out of PS.Case No. -129 Year- 2014 Thana -MOTIPUR District- MUZAFFARPUR

Satan Sahni Son of Late Sadhu Sahni @ Bawan Sahni Resident of Village
- Kodaria - Police Station - Siwaipatti- District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.13316 of 2015

Arising Out of PS.Case No. -129 Year- 2014 Thana -MOTIPUR District- MUZAFFARPUR

Bisu Sahni @ Bishu Sahni Son of Bachchan Sahni resident of Village -
Kadaria, P.S. - Siwaipatti, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 27-04-2015 Both these applications arise out of Motipur P. S. Case no. 129 of 2014 for the offence punishable under Sections 302 and 201/34 of the Indian Penal Code. As such, they have been heard together and are being disposed of by this common order.

It is submitted on behalf of petitioner Satan Sahni that there is no specific allegation of overt act against him. He has no criminal antecedent and in similar facts and circumstances co-accused Bachchan Sahni has been granted bail vide Cr. Misc. no. 49119 of 2014.

Learned counsel for the petitioner Bisu Sahni submits that there is no eye witness to the occurrence. No one has seen Bisu Sahni to commit any overt act,.

Learned counsel for the State submits that there is specific allegation against the petitioner Bisu Sahni, who had taken the deceased from his house. Thereafter, the deceased did not return and later on, he was found killed.

Considering the facts and circumstances, in my opinion, the petitioner Bisu Sahni does not deserve bail. His prayer for bail is rejected at this stage.

Let the trial of petitioner Bisu Sahni in Motipur P.S. Case no. 129 of 2014 be expedited.

Considering the facts and circumstances of this case, the above-named petitioner Satan Sahni is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Xth Additional Sessions Judge, Muzaffarpur in Motipur P. S. Case no. 129 of 2014 giving rise to Session Trial no. 739 of 2014 with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

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