

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34083 of 2014

Arising Out of PS.Case No. -107 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

- =====
1. Rakesh Sahni Son of Jagdish Sahni
 2. Sita Ram Sahni Son of Jagdish Sahni
 3. Jay Ram Sahni Son of Jagdish Sahni All resident of Village - Raipur, P.S. - Runnisaaidpur, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.37807 of 2014

Arising Out of PS.Case No. -107 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

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Snehi Sahni @ Sanehi Sahni

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.34083 of 2014)

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Atul Chandra (App)

(In Cr.Misc. No.37807 of 2014)

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Dr.M.K.Gautam(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 02-04-2015 Both the above-said petitions arise out of Runni Saidpur P.S. Case No. 107 of 2014 registered under Section-302 of the Indian Penal Code in which, petitioners apprehend their arrest, and accordingly, both the above-said petitions are being disposed off by this common order.

Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State as also heard learned counsel, appearing for the informant.

Petitioners are named in the first information report but the informant is not eye witness of the alleged occurrence and he expressed his suspicion only on the ground that prior to the alleged occurrence, the mother of petitioners in Cr. Misc. No. 34083 of 2014 had given threatening of dire consequences to the deceased due to his illicit relation with wife of petitioner No. 1.

In course of investigation, almost all the witnesses stated above-said fact but two witnesses namely, Jhumlal Rai and Yadunandan Rai, whose statements were recorded at paragraphs- 32 & 33 of the case diary, stated that in the night of alleged occurrence, they had seen the petitioners in suspicious condition and at that time, the petitioner No. 1 in Cr. Misc. No. 34083 of 2014 was carrying fire-arm in his hand. Admittedly, the fardbeyan of the informant was recorded on 22-03-2014 at 10.15 a.m. and according to statement of witnesses Jhumlal Rai and Yadunandan Rai, they had already returned to their village but they did not disclose the real fact before the informant.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioners named above, in the event of his arrest or surrender within four weeks from the

date of receipt/production of copy of the order in the court below,
be released on bail on furnishing bail bonds of Rs 10,000/- (ten
thousand) each with two sureties of the like amount each in
connection with Runni Saidpur P.S. Case No. 107 of 2014 to the
satisfaction of learned Chief Judicial Magistrate, Sitamarhi subject
to the conditions as laid down u/S 438(2) of the Cr. P.C.

(Hemant Kumar Srivastava, J)

A.K.V./-

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