

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.194 of 2015

Arising Out of PS.Case No. -32 Year- 2014 Thana -BOCHHA District- MUZAFFARPUR

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1. Sunil Sahani son of Nagendra Sahani, Resident of Village- Sarwanichok,
P.S.- Bochahan, Dist- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Amitesh Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR
LAL
ORAL ORDER

4 10-03-2015

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in Bochaha P.S. Case
No. 32 of 2014 registered for the offence punishable under section
302 of the Indian Penal Code.

The allegation against the petitioner is that he
was chasing Devendra Sahni, the brother of the deceased to kill
him as he had suspicion that Devendra Sahni had illicit relation
with the wife of the petitioner and when the deceased went to
rescue his brother the petitioner killed him by knife blow.

It is submitted by the learned counsel for the
petitioner that the informant is not the eye witness to the
occurrence. The occurrence has taken place on 07.02.2014

whereas the statement of Devendra Sahni brother of the deceased had been recorded by the I.O. on 12.02.2014. Had he been present his statement would have been recorded earlier. The petitioner has no criminal antecedent and he has been in custody since 08.02.2014.

Learned counsel for the State submits that on perusal of the case diary it appears that other witnesses who have seen the occurrence have been examined by the I.O. and they have supported the prosecution case. The inquest report also supports the prosecution case.

Considering the facts and circumstances of this case in my view, the petitioner does not deserve to be enlarged on bail. Accordingly the prayer for bail is rejected at this stage.

(Amaresh Kumar Lal, J)

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