

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.49119 of 2014**

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

Bachchan Sahni Son of Late Baban Sahni, Resident of Village - Kodariya,  
P.S. - Siwaipatti, Distt- Muzaffarpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s :

For the Opposite Party/s :

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**

**ORAL ORDER**

2      20-02-2015                      Heard learned counsel for the petitioner, learned  
A.P.P. for the State and learned counsel for the informant.

The petitioner seeks bail in S. T. No. 739 of 2014  
arising out of Motipur P.S. Case No. 129 of 2014 dated  
15.05.2014 instituted under Sections 302/201/34 of the Indian  
Penal Code.

Learned counsel for the petitioner submits that the  
allegation of calling the deceased from his house is against Vishu  
Sahani and Rakesh Sahani and the only allegation against the



petitioner is that when the mother of the informant came to the house of the petitioner she saw him along with six others having a bath and thereafter when they went looking for the deceased his body was found hanging from the tree. It is submitted that there is no other material against him except the allegation that sister of Vishu Sahani was having relationship with the deceased which was objected by the family of the girl and that was the reason for killing the deceased. It is submitted that the petitioner being old in age having clean antecedent is in custody since 16.05.2014.

Learned A.P.P. and learned counsel for the informant oppose the prayer for bail. It is submitted that witnesses have stated that there was dispute between the parties as sister of Vishu Sahani was having an affair with the deceased and thus there is a strong indication that the petitioner was also involved in the act of killing the deceased.

Learned counsel for the petitioner, by way of reply, submits that had they been involved in the crime, the accused would not have gone to the house of the deceased, called him and thereafter killed him so as to make them the obvious accused.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.

10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 10<sup>th</sup> Additional Sessions Judge, Muzaffarpur in S. T. No. 739 of 2014 arising out of Motipur P.S. Case No. 129 of 2014. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to do so on two consecutive dates, without sufficient cause, shall lead to cancellation of his bail bonds.

**(Ahsanuddin Amanullah, J)**

Anjani/-

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