

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.18731 of 2016**

Arising Out of PS.Case No. -372 Year- 2015 Thana -SARAIYA District- MUZAFFARPUR

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1. Mukesh Sahani Son of Chanar Sahani of Village- Pokhraiya, P.S- Saraiya, District- Muzaffarpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

**Appearance :**

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s Mr. Pronoti Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

02/ 03.05.2016 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under section 302 of the Indian Penal Code.

Petitioner is named in the first information report but the informant is not an eye witness of the alleged occurrence and she has mentioned in her written report that when she reached on the place of occurrence, police reached there and on enquiry, it came to light that one pick-up van dashed the deceased but in the meantime, one Sahinder Paswan came there and disclosed that prior to the alleged occurrence, an altercation had taken place between him as well as the petitioner and after that the petitioner had threatened the deceased to kill.

In course of investigation, some witnesses claimed to have seen the petitioner fleeing from the place of occurrence but

admittedly, investigation has already been completed and petitioner is in jail custody since 24.11.2015.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Sri M.K. Mishra, Judicial Magistrate, Ist Class, Muzaffarpur in Saraiya P.S. Case no. 372/2015.

(Hemant Kumar Srivastava,J)



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