

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29685 of 2017

Arising Out of PS.Case No. -53 Year- 2011 Thana -AURAI District- MUZAFFARPUR

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Pramod Sahni, S/o Shatrughan Sahni, resident of Village- Bedoul, P.S.-
Aurai, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Adv.

For the Opposite Party/s : Mr. Kumar Virendra Narayan, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 08-09-2017 Heard the learned counsel for the petitioner and the
learned A.P.P for the State.

Petitioner seeks bail in connection with Aurai P.S. Case
No. 53/2011, for the offences punishable under Sections 302, 34
of the Indian Penal Code.

Prosecution case, as lodged by the informant is that the
petitioner along with other co-accused have committed murder of
the son of the informant.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and he is in
custody since 07.02.2017. He submits that general and omnibus
allegation has been made in the F.I.R. and subsequently, the
informant has filed a petition before the court below that due to



mistake of fact, the present case has been instituted against the petitioner. The petitioner happens to be the brother-in-law (Sala) of the deceased, charge-sheet has already been submitted and there is no allegation of tampering of prosecution witnesses by the petitioner. One of the co-accused who is father-in-law of the deceased on similar allegation has been granted privilege of bail by a coordinate bench of this court vide order dated 26.09.2016 passed in Cr. Misc. 32466/2016.

However, learned A.P.P for the State opposes the prayer for bail stating therein that the petitioner is named in the F.I.R.

Considering the facts and circumstances and materials on record, let the petitioner named above be enlarged 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 Additional Chief Judicial Magistrate-cum-Sub Judge 9th, Muzaffarpur in connection with Aurai P.S. Case No. 53/2011, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/court, who will file an affidavit stating this relationship with the petitioner and that the petitioner will appear before the learned court below during trial on each and every date and failure to appear on two



consecutive dates without assigning reason will entail cancellation
of the bail bonds.

(Nilu Agrawal, J)

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