

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51935 of 2016

Arising Out of PS.Case No. -53 Year- 2016 Thana -MANSAHI District- KATIHAR

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Dilip Sahni, Son of Late Shiwan Sahni, resident of Mohalla Hawaii Adda,
P.S. Sahayak, District Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 25-01-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with
Mansahi P.S. Case No. 53 of 2016, registered under Sections
302, 201/34 of the Indian Penal Code.

The allegation of informant Devendra Prasad Yadav
is that on 09.08.2016 his son, namely, Raj Kumar Yadav was
called on mobile by Ravi Sahni at his house. Thereafter, his son
went to the house of Ravi Sahni from where petitioner Dilip
Sahni, Ravi Sahni and others accompanied with his son Raj
Kumar Yadav towards Koshi river, when his son did not return
late hours then informant went to the house of Ravi and Dilip
Sahni, but both were not found in their houses. On the next day,
a dead body was seen by the fishermen then he went to the bank



of the Koshi river and saw the dead body of his son Raj Kumar.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the son of the informant was called by Ravi Sahni and not by this petitioner. Further submission is that informant is not the eye-witness of accompanying by this petitioner towards Koshi river. After investigation, the Police submitted the Chargesheet on 09.11.2016, but none witnesses have claimed to see the petitioner with the deceased regarding moving towards Koshi river. The petitioner has no criminal antecedent and is in custody since 13.08.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the ACJM-II, Katihar in connection with Manshi P.S. Case No. 53 of 2016.

(Rajendra Kumar Mishra, J)

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