

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3909 of 2017

Arising Out of PS.Case No. -57 Year- 2015 Thana -PARSAUNI District- SITAMARHI

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Indal Sahni, Son of Sri Sonfi Sahni, Resident of Village- Machhatwa @
Khairwa Gota, P.S.- Majarganj, District- Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate.

For the Opposite Party/s : Mr. Sri Bisheshwar Ram, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 19-04-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Parsauni
P.S. Case No. 57 of 2015, registered under Sections 302/34 of the
Indian Penal Code.

The accusation is that Umesh Sahni, brother of the
informant, had gone to his 'Sasural' on 30.05.2015. Later on, wife
of the informant received the information on mobile that brother
of the informant has been bitten by his 'Sasural' people then
informant along with others went at the Sasural of his brother but
he did not find his brother there. Later on, the dead body of
brother of the informant was left at the house of the informant by
this petitioner and mother-in-law of his brother.

Learned counsel for the petitioner submits that, in fact,
petitioner is the brother-in-law (Sarhu) of the deceased and on the



date of occurrence, deceased, Umesh Sahni, had gone to his 'Sasural' in drunken state and asked to his wife to accompany him in 'Bidai' but she was not ready then he threw his son, on which, occurrence took place and thereafter, deceased was rushed to the hospital but he died. It is further submitted that the statement of wife and son of the deceased recorded as detailed in paragraphs 7 and 19 of the case diary, in which, both have stated about reaching the deceased in drunken state and causing assault to his son. Moreover, on investigation, the police submitted charge sheet under Section 302 of the Indian Penal Code against the petitioner. Further submission is that no specific overt act has been attributed against the petitioner. It is further submitted that petitioner has no criminal antecedent and is in custody since 15.11.2016.

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 Chief Judicial Magistrate, Sitamarhi, in connection with Parsauni P.S. Case No. 57 of 2015. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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