

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33623 of 2017

Arising Out of PS.Case No. -118 Year- 2014 Thana -PAROO District- MUZAFFARPUR

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1. Ram Vinay Sahni, son of Sri Hira Sahni, resident of Village- Usti, P.S.-
Paroo, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur
Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Murli Dhar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 01-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
26.03.2017 in connection with Paroo P.S. Case No. 118 of 2014
for offences punishable under Sections 302/34 of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that she and her husband were going out of the village but a fight
started between the deceased Madhu Sahni and his three full
brothers including the petitioner. Thereafter the informant was told
to proceed, but the next day her sister-in-law Sangeeta Devi
informed that her husband has been killed. It is alleged that the



petitioner, who is the full brother of the deceased, along with other brothers and father Hira Sahni has taken the informant's husband to the watermelon field, killed him and thrown the dead body in the river.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, the deceased was the full brother of the petitioner and no such occurrence has occurred. He submits that there is no eye-witness to the alleged occurrence and all the brothers including the father of the petitioner have been dragged in. He further submits that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and the petitioner has been made accused only on the basis of suspicion.

However, learned APP for the State opposes the prayer for bail stating therein that the post mortem report also suggests death by heavy sharp cutting weapon and there is strong circumstantial evidence against the petitioner.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned



Judicial Magistrate, 1st Class, Muzaffarpur, in connection with Paroo P.S. Case No. 118 of 2014, 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 his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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