

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36386 of 2017

Arising Out of PS. Case No. -26 Year- 2009 Thana -KANHAULI District- SITAMARHI

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Indal Sahni, son of late Ramchandra Sahni, resident of Village Orlahiya,
P.S. Kanhauli, District Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Hans Lal Kumar, Advocate

For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 21-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 17.01.2017 in connection with Sessions Trial No. 274 of 2011 arising out of Kanhauli P.S. Case No. 26 of 2009 for the offences alleged under Sections 304 B and 201/34 of the Indian Penal Code.

3. It is submitted that the petitioner being the father-in-law of the deceased has been falsely implicated. The accusations against the petitioner are general and omnibus and no specific overt act has been attributed to him. The petitioner's case stands on better footing than the husband of the deceased Sanjay Sahani who has been acquitted by the learned Adhoc Additional Sessions Judge III, Sitamarhi in Sessions Trial Nos. 604 of 2010/113 of 2010 and so also, co-accused Ram Chandra Sahni, who is said to be the grand father-in-law of the deceased, has also been acquitted in Sessions Trial No. 401 of 2010. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of like amount each to the satisfaction



of learned Additional Sessions Judge-cum-Fast Track No. 3, Sitamarhi in connection with Sessions Trial No. 274 of 2011 arising out of Kanhauli P.S. Case No. 26 of 2009 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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