

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51583 of 2018

Arising Out of PS.Case No. -103 Year- 2015 Thana -PATAHI District- EASTCHAMPARAN
(MOTIHARI)

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Suranjit Sahani @ Sunarjeet Sahani, son of Chandan Sahni @ Chulhai Sahani, resident of village - Gujraul Mushartoli, Police Station - Patahi, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate.

For the Opposite Party : Mr. Tapeswar Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-09-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 26.05.2018 in a case for the offence registered under Sections 302 and 328 of the IPC.

The prosecution story, in brief, is that daughter of the informant died due to administering poison. The informant has further alleged that 8 days before, the petitioner used to talk with his daughter, namely, Mamta Kumari aged 14 years, after providing her mobile and when the informant came to know this fact he snatched the said mobile. Again on the next day, the petitioner sent another mobile to her and when the informant tried



to snatch the said mobile it was broken in the process of snatching. Again the petitioner provided one more mobile to his daughter which was seen by his elder daughter Rubi Devi, then she asked about the said mobile, on which, she replied that the petitioner had threatened her not to disclose the fact and if she would disclose the fact and would not marry him then he would murder her parents, brother and sister. At last, the informant has alleged that his daughter was administered poison after calling her to his home due to which, his daughter died.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is named in the F.I.R. merely on the basis of suspicion. Except for suspicion, there is no substantive evidence to suggest the implication of the petitioner in the present case. The petitioner is alleged to have given a Mobile Phone to the daughter of the informant and for the said reason, the petitioner is suspected to be involved in the present case. There is no circumstantial evidence to suggest the implication of the petitioner in the present case.

On behalf of the learned counsel for the State, it has



been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VIII, Motihari, East Champaran, in connection with Patahi P.S. Case No. 103 of 2015.

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(Sudhir Singh, J)

