

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6831 of 2018

Arising Out of PS. Case No.-161 Year-2015 Thana- HARSIDHI District- East Champaran

Upendra Sahani, son of Budhai Sahani, resident of Village- Dhawahi, P.S.-
Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. SRI UMANATH MISHRA

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 06-03-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in
connection with Harsidhi P.S. Case No. 161 of 2015 registered
for the offence punishable under Sections 302/34 of the Indian
Penal Code.

Informant is the father of deceased, who has stated
in his written complaint that on 13.05.2015 at about 8:00 PM
his son Munna Kumar was in his shop and he was sitting
outside of shop, then accused persons came there and entered
into the shop and surrounded his son. Allegation against the
petitioner is that he is one of the co-accused who had caught
hold the hand of the deceased and thereafter Bunnilal Sahani



inflicted knife blow in his chest and his son died.

Learned counsel for the petitioner submitted that he is innocent and has been falsely implicated in this case. It has further been submitted that similarly situated co-accused Budhai Sahani has already been granted bail as contained in Annexure-3 of writ petition and other named accused Tahalu Sahani has been granted regular bail as contained in Annexure3/1 of petition. It has further been submitted that petitioner has no criminal antecedent and he is in custody since 31.10.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Chief Judicial Magistrate, East Champaran, Motihari, in connection with Harsidhi P.S. Case No. 161 of 2015.

(S. Kumar, J)

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