

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53746 of 2019**

Arising Out of PS. Case No.-224 Year-2018 Thana- PATEPUR District- Vaishali

Surendra Sahni (male) aged about 35 years, S/o Ramdhni Sahni R/o village-  
Dihbuchauli, P.S.- Jandaha, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                          |
|--------------------------|---|----------------------------------------------------------|
| For the Petitioner/s     | : | Mr. V.M.K Sinha, Adv.<br>Mr. Manish Chandra Gandhi, Adv. |
| For the Opposite Party/s | : | Mr. Akshay Lal Pandit, APP                               |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

5. 11-12-2019                      The petitioner seeks bail in Patepur P.S. Case No. 224 of 2018 registered for the offence under Sections 364/120(B) of the Indian Penal Code and Sections 13/16/19/20 of U.A.P. Act.

It is alleged in the written report that on the date of occurrence, while the husband of the informant and co-villager Ramesh Jha were returning from their field, near the canal bridge, they were surrounded by accused persons. The said fact was communicated by Ramesh Jha to his wife on mobile phone. On hearing this, when the informant with wife of Ramesh Jha went there, they saw petitioner and others standing there armed with pistol and gun and they threatened them to go back, otherwise they would also be killed and the informant has apprehension that her husband might have been killed by the accused persons.



It is submitted on behalf of petitioner that there is no eye-witness to the said occurrence and petitioner has not committed the murder of informant's husband. Only allegation against the petitioner is that he was standing on the canal bridge armed with weapon. It is further submitted that some other co-accused have already been granted bail by this Court, vide order dated 05-07-2019 passed in Cr.Misc. No. 22448/2019 and order dated 17-07-2019 passed in Cr.Misc. No. 32569/2019 (Annexure – 2 to the petition). In this case, chargesheet has also been submitted and as such, there is no chance of tampering with the evidence. The petitioner is in custody since 01-03-2019.

Considering the aforesaid facts and circumstances as well as considering the fact that similarly situated co-accused have already been granted bail by this Court, let the above named petitioner 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 A.C.J.M.-X, Vaishali at Hajipur in connection with Patepur P.S. Case No. 224 of 2018 on the following conditions:

(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the



Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

**(Prabhat Kumar Singh, J.)**

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