

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78747 of 2018

Arising Out of PS. Case No.-127 Year-2018 Thana- KATRA District- Muzaffarpur

Parash Sahni Son of Sri Ramlakhan Sahni Resident of Tehvara,P.S.
Katra,Distt.-Muzaffarpur Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : M/s A. K. Thakur
Babita Kumari
Swati Sinha, Advocates
For the Opposite Party/s : Mr.Sri Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 09-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Katra P.S. Case No. 127 of 2018 registered for the offence punishable under Sections 147, 148, 149, 447, 323 and 302 of the Indian Penal Code.

Informant has alleged that while she was talking with her husband in the night sitting at the doorstep then F.I.R. named accused variously armed with Danda and iron rod came at her door and began to assault them and his husband tried to flee away to save himself and fell near the door of Raju Sahani and they chased and assaulted him by lathi, danda and iron rod and subsequently he was taken to hospital where he was referred to PMCH and he died during the treatment.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case due to



enimty. Petitioner is agnate of the deceased and has been implicated in this case after death of husband of the informant. Postmortem report has been enclosed in which one head injury has been found which was fatal. There is no specific allegation against the petitioner of committing any overt act. Petitioner has no criminal antecedent and he is in custody since 18.06.2018.

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/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M -cum- Sub-Judge XV, Muzaffarpur in connection with Katra P.S. Case No. 127 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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