

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29636 of 2020

Arising Out of PS. Case No.-361 Year-2020 Thana- BAGHA District- West Champaran

RAJ KUMAR SAHANI S/o Pahavari Sahani @ Pahavari Sahani Mukhiya
R/o Village- Mangalpur, P.S.- Bagaha Patkhauri, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 25-11-2020

This matter has been taken up in virtual Court.

Let the defects be removed within 15 days of the start
of the physical Court.

Heard the parties.

The petitioner is languishing in custody for the
offence punishable under Section 302 of the Indian Penal Code.

According to F.I.R., brother of the informant who was
coming on the same Scorpio on which the petitioner and others
were coming died in unnatural circumstances on the way and
the petitioner kept on saying that the brother of the informant is
still alive though he was already dead. Hence, petitioner is under
suspicion.

The impugned order reveals that there is no direct
evidence against the petitioner save and except suspicion.



Petitioner has got no criminal antecedent. Petitioner is in custody since 28.06.2020. Investigation of the case is already complete.

Considering the facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Bagaha Bhairoganj P.S. Case No. 361 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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