

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.12975 of 2021**

Arising Out of PS. Case No.-312 Year-2020 Thana- TAJPUR District- Samastipur

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RAGHUNATH SAHANI Son of Late Yogi Sahani Resident of Village -
Mirzapur, P.S.- Tajpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shri Nandan Prasad Singh, Sr.Adv.
Ms. Prakritita Sharma, Adv.
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 26-08-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard Mr. Shree Nandan Prasad Singh, learned senior
counsel assisted by Ms. Prakritita Sharma for the petitioner and
Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Tajpur P.S. Case No.312/2020 registered for the
offences punishable under Section 302/34 of the Indian Penal
Code. He is in custody since 20.08.2020.

As per the prosecution story, when the husband of the
informant was standing at his door, the co-accused Manish
Sahani and Ramesh Sahani had called him and took him on their

motorcycle. It is alleged that when till 10.00 pm the husband of the informant did not return, she went to the house of Manish Sahani but did not get any satisfactory answer.

In the second part of the FIR, the informant says that her husband had a quarrel few days back with two persons namely Suraj Sahani and the petitioner and 3-4 unknown persons on the issue of the business of illegal liquor. They had alleged that the husband of the informant was involved in passing secret information to police.

Learned senior counsel submits that in this case, in course of investigation it has come that the deceased was seen in his own under-constructed house where he was involved in a party. This petitioner is also said to be present there but save and except that there is no material against this petitioner.

Learned senior counsel further submits that in course of investigation police has recovered the iron Dab from the house of the co-accused Manish Sahani who had taken away the husband of the informant. This petitioner is not related to said co-accused Manish Sahani.

Learned senior counsel further submits that the petitioner has no criminal antecedent and the investigation against him is complete, hence, he may be released on bail. It is

informed that the co-accused Suraj Sahani has been granted bail by a learned coordinate Bench of this Court in Cr.Misc.No.9046/2021.

Mr. Akhileshwar Dayal, learned APP for the State submits after going through the case diary that the main accusation is against co-accused Manish Sahani from whose house some incriminating article has been recovered but so far as this petitioner is concerned, he is similarly situated with the co-accused Suraj Sahani.

Considering the facts and circumstances of the case, in the nature of the materials discussed hereinabove and that the petitioner has remained in custody for over one year, investigation against him is complete, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Samastipur in connection with Tajpur P.S. Case No.312/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal

antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.