

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16907 of 2021**

Arising Out of PS. Case No.-3 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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AMARJIT SAHANI Son of Late paltu Sahani @ Late Rajeshwar Sahani
Resident of Village - Gopalpur, P.S.- Kalyanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 14-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 120B of the Indian Penal Code and section 27 of the Arms Act.

As per prosecution case the petitioner owed a sum of Rs.40,000/- to the husband of the informant but he was not returning the same inspite of repeated demands. It is stated by the informant that her husband had gone out and the accused persons had made him drink liquor. On enquiry on telephone he informed that he would be returning home. Subsequently, information was received that he had been shot dead.

It is submitted by learned counsel for the petitioner



that there is no eye-witness to the occurrence. The petitioner has been falsely implicated in the case. At best a suspicion has been raised against the petitioner. The case of the petitioner stands on a similar footing to that of co-accused Ramesh Thakur who has been enlarged on bail vide order dated 27.8.2019 passed in Cr. Misc. no. 39853 of 2019. The petitioner is in custody since 23.11.2020 and charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstance of the case including the petitioner having remained in custody for over 9 months, grant of bail to co-accused, the Court directs the petitioner to be enlarged on bail in connection with Samastipur P.S. Case no. 3 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate V, Samastipur.

(Partha Sarthy, J)

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