

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27035 of 2021

Arising Out of PS. Case No.-86 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champaran

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Kailash Sahni, S/o Sukan Sahni R/o village- Basman Bhawanipur, P.S.-
Muffasil, Motihari, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 24-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Muffasil
(Motihari) P.S. Case No.86 of 2020 registered for offences
punishable under Section 304(B), 201/34 of the Indian Penal
Code.

Prosecution case in brief is that, the petitioner along
with other family members killed the wife of his younger
brother. Informant is the brother of the deceased.

Learned counsel appearing on behalf of the petitioner
submits that similarly situated accused one Rupesh Kumar who



is younger brother has already been released on bail vide order dated 10.08.2021 passed in Cr. Misc. No.37193 of 2020. Learned counsel for the petitioner has made specific statement in paragraph no.10 of his application that petitioner was separated from his brother long ago and on the alleged date of occurrence he was at his home. Learned counsel for the petitioner further submits that alleged occurrence took place on 15.02.2020 however, the FIR has been lodged after much delay on 21.02.2020, when the police station is only 10 Kms from the place of occurrence..

Learned counsel for the State opposes the prayer for bail.

Having considered the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.25,000/-(Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Muffasil (Motihari) P.S. Case No.86 of 2020 subject to the 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.

(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.

(Purnendu Singh, J)

Prakash Narayan /-

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