

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36529 of 2021**

Arising Out of PS. Case No.-148 Year-2019 Thana- HATHAURI District- Muzaffarpur

KISHAN KUMAR @ KISHAN SAHANI Son of Yugeshwar Sahni Resident
of Village - Shahabajpur, P.S.- Hathauri, District Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bhavesh Kumar- Advocate
For the Opposite Party/s :	Mr. Manoj Kumar- Advocate
	Mr. Mukeshwar Dayal- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 06-12-2021 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned APP for the State.

The petitioner seeks bail in connection with Hathauri
P. S. Case No.148 of 2019, instituted for the offences under
Sections 363, 364, 302, 201/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 19.03.2020, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

The learned counsel for the petitioner submits that
from perusal of the allegation as alleged in the F.I.R., it would
manifest that the informant alleges that Kedar Sahni and Kailash
Sahni had come to the house of the informant and had an



altercation with Birendra Sahani (son of the informant) with regard to some money dispute and they threatened in the event, if the money is not paid, he would be kidnapped and that Kedar Sahni threatened to his son to return the money on that date itself when they reached at the house of the informant or else his dead body would also be not traced. It is further alleged that on 22.08.2019 at 7.30 hours, the son of the informant was traceless from Shahbazzpur Chowk. Accordingly, the F.I.R. was instituted.

The learned counsel for the petitioner submits that petitioner is not named in the F.I.R. His name has come on the confessional statement of co-accused Binod Kumar @ Binod Sahni, who has been granted bail by a Bench of this Court vide order dated 02.12.2020 in Cr. Misc. No.24510 of 2020.

The learned counsel for the informant as well as learned A.P.P. for the State opposed the bail application, but is not able to meet the submission of the learned counsel for the petitioner that the name of this petitioner came in the confessional statement of Binod Kumar, who was apprehended based on the secret information received by the police from its spy.

Considering the fact that the petitioner is in custody since 19.03.2020, he is a person with clean antecedent, charge-



sheet has been submitted in this case and similarly situated co-accused has been granted bail by a Bench of this Court, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Deepak Kumar, learned J. M. 1st Class, Muzaffarpur in connection with Hathauri P. S. Case No.148 of 2019.

The application stands allowed.

(Satyavrat Verma, J)

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