

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33964 of 2020

Arising Out of PS. Case No.-114 Year-2015 Thana- LALGANJ District- Vaishali

SHIV NATH SAHNI S/o Late Sharif Sahni Resident of Village- Basanta
Jahanabad, P.S.- Lalganj, District- Vaishali.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Ms. Rina Sinha, Advocate.
For the State : Mr. A.M.P. Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 12-02-2021 As prayed for, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 10.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Lalganj P.S. Case No.114 of 2015 registered under Sections 363 and 365 of the Indian Penal Code and, later on, added Sections 376 and 302 of the Indian Penal Code and Sections 4 and 6 of the POCSO Act.

The accusation is that on 05.05.2015, on the occasion of marriage in the family of the informant Pappu Sahni, the



generator light, all of a sudden, was cut. In the meantime, Saraswati Kumari, the daughter of the informant, became disappeared and she could not be traced out. After one day, the dead body of the daughter of the informant was found in a plastic box.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the fardbeyan of the informant Pappu Sahni that on the basis of his fardbeyan, the present case bearing Lalganj P.S. Case No.114 of 2015 was instituted against unknown on 07.05.2015 under Section 363 and 365 of the Indian Penal Code and, later on, on the recovery of the dead body of the daughter of the informant, Sections 376 and 302 of the Indian Penal Code besides Sections 4 and 6 of the POCSO Act were added. In course of investigation, the informant and one witness Amod Sahni, in their restatement and statement respectively, raised suspicion against the petitioner and others having hand in the murder of the daughter of the informant due to old enmity. Later on, the witnesses Jagmati Devi and Arvind Sahni, also raised suspicion on that ground, which would appear from paragraphs-16 and 17 of the supplementary case diary. The petitioner has no criminal antecedent and is in custody since 20.07.2020.



Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-VI, Vaishali at Hajipur, in connection with Lalganj P.S. Case No.114 of 2015.

(Rajendra Kumar Mishra, J)

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