

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38165 of 2020

Arising Out of PS. Case No.-22 Year-2020 Thana- ASHOK PAPER MILL District-
Darbhanga

RAJENDRA DAS aged about 53 years Son of Late Jaga Das Resident of
Village - Pator Rampura, P.S. - A.P.M., District - Darbhanga

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Girish Chandra Jha, Advocate

For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-02-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for the
offence punishable under sections 302/120B/34 of the Indian
Penal Code.

As per the prosecution case, threatening was given to
kill the informant, Wakil Sahni, by his Samdhi and daughter-in-
law Dukhani Devi. The petitioner, who is Munshi of the brick
kiln, also used to threaten his son to leave the brick kiln. On
21.01.2020, brother of his daughter-in-law informed him that his
son has died. Thereafter, informant along with his other family
members went at brick kiln then saw the dead body of his son,
Nandlal Sahni, who was killed by causing injury through blunt
object. Informant further claimed that since the dispute and
quarrel was being going on in between his son, Nandlal Sahni
and his wife, Dudhani Devi due to that reason with the help of



others, she committed murder of his son, Nandlal Sahni.

Learned counsel for the petitioner submits that there is no eye witness to the occurrence and petitioner has been made accused only on suspicion. He is only one of the three munshis(clerks) of the brick klin and has no concern with the family affairs of victim. Similarly situated co-accused Bikram Sahni and Dukhani Devi have already been allowed bail by different benches of this Court vide order dated 22.12.2020 and 15.12.2020, passed in Cr.Mis.No. 33833/2020 and Cr.Mis.No. 33057/2020. Petitioner has got clean antecedent and he is in custody since 8.5.2020.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate V, Darbhanga in Ashok Paper Mill PS case no. 22 of 2020, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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