

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51971 of 2021**

Arising Out of PS. Case No.-221 Year-2021 Thana- MOTIHARI MUFASIL District- East  
Champaran

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DILIP KUMAR @ DILIP SAHANI SON OF BASUDEV SAHANI  
RESIDENT OF VILLAGE- LAKHAURA BICHALA TOLA, P.S.  
LAKHAURA, DISTRICT- EAST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                            |                       |
|----------------------------|-----------------------|
| For the Petitioner/s :     | Mr.Abhishek Kumar     |
| For the Opposite Party/s : | Mr.Nagendra Prasad    |
|                            | Mr. Madhurendra Kumar |

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      30-11-2021                      Heard learned counsel for the petitioner, the State and  
the informant.

Petitioner seeks regular bail in a case registered for  
the offence punishable under Section 302, 120B/34 of the Indian  
Penal Code.

As per the prosecution case, on 27.04.2021 co-  
accused, Navin Kumar, took away the son of informant but he  
did not return. On 28.04.2021 dead body of his son was found  
at maize field of Dahaur Sah. The informant suspects that this  
Navin Kumar along with other accused persons killed his son.

Learned counsel appearing for the petitioner submits  
that petitioner is not named in the FIR. The name of petitioner  
has come in this case during the course of investigation in the  
re-statement of informant wherein he has stated that his full  
brother, Vijay Sah, saw this petitioner in the night of 27.04.2021  
at about 8 PM near maize field of Dahaur Sah from where dead  
body of his son was recovered. There was love affair between  
informant's son Rakesh Kumar and sister of this petitioner and



as a result of which this petitioner killed the son of informant. It is further submitted that this fact was known to the informant and his brother much before lodging of the FIR but they did not level such allegation at the time of lodging of the FIR. Petitioner claims clean antecedent and is in custody since 09.05.2021 and investigation in this case is complete.

Learned counsel appearing for the State and the informant opposed the prayer for bail and submitted that petitioner admitted his guilt and also his presence near the place from where dead body was recovered before the police.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari in connection with Muffasil Lakhaura PS case No.221/2021.

**(Prabhat Kumar Singh, J)**

BKS/-

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