

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39293 of 2020

Arising Out of PS. Case No.-126 Year-2020 Thana- MAIRWAN District- Siwan

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AMIR SAHANI @ DOCTOR @ DR. AMIR PRASAD S/o Bhola Sahani R/o
Village- Imlauli, P.S.- Mairwa, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-09-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in Sessions Trial
No. 167 of 2020 arising out of Mairwa P.S. Case No. 126 of
2020 registered under Sections 302, 201, 120(B)/34 of the
Indian Penal Code.

Allegedly, the informant's son was taken away by the
accused persons and after half an hour, the dead body of
informant's son was found lying dead.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation



of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. The petitioner is not named in the FIR. His name transpired in the present case on the basis of disclosure made by co-accused. In course of investigation, suspicion has been raised against the petitioner regarding involvement of the petitioner in the alleged occurrence. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence. On the basis of confession of co-accused, the weapon used in the occurrence is said to have been recovered from the wheat field. No incriminating article is said to have been recovered from possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Additional Sessions Judge-IV, Siwan in connection with Sessions Trial No. 167 of 2020 arising out of Mairwa P.S. Case No. 126 of 2020,



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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