

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2873 of 2021

Arising Out of PS. Case No.-282 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

Lalu Sahani @ Lal Babu Sahani Son of Late Ramdev Sahani Resident of
Village - Chhlt Bhagwatipur, P.s.- Ahiyapur, Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 14-06-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case
registered for the offence punishable under section 302/201/34
and other ancillary sections of the Indian Penal Code.

As per the prosecution case, at 10 pm informant's son
was called by her co-villager Feku Sahani upon which her son
went there but he did not return thereafter. Few months before
the occurrence, petitioner and other accused persons had
threatened informant to kill her son. Dead body of the deceased
was recovered from a pond after two weeks of his
disappearance.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case due to previous enmity. There is no specific allegation against the petitioner, rather co-accused Feku Sahani is alleged to have called the victim before alleged murder. Petitioner is next door neighbour and no incriminating material has been collected against the petitioner during course of investigation. Petitioner has got no criminal antecedent as stated in paragraph 3 of the bail petition. He is in custody since 26.6.2020.

Considering the facts and circumstances of the case and the fact that no incriminating material has been collected against the petitioner during course of investigation and he has got no criminal antecedent, 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 Chief Judicial Magistrate, Muzaffarpur in Ahiyapur Police Station Case No. 282 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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