

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2906 of 2021

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

SANTOSH SAHANI SON OF LATE RAMDEV SAHANI RESIDENT OF
VILLAGE - CHHIT BHAGWATIPUR, P.S. - AHIYAPUR, DISTRICT -
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 06-10-2021 Heard Mr. Hari Kishore Thakur, learned

Advocate for the petitioner and Mr. Raj Kishore Singh,

learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Ahiyapur P.S. Case No. 282 of
2020 dated 11.03.2020 which was initially instituted for
the offences under Sections 363, 365 and 34 of the
Indian Penal Code but later Sections 364, 302 and 201
IPC were also added.

The FIR has been lodged by the mother of the
deceased alleging that one Feku Sahni had called her



son (deceased) on mobile telephone. The son of the informant was not to be heard of thereafter. The case regarding the kidnapping of the victim was lodged after two days. It has been alleged in the FIR that a month prior to the son of the informant going missing, the petitioner and others had threatened her that her son shall be kidnapped and maimed.

Learned counsel for the petitioner has submitted that apart from the aforesaid suspicion, there is no material to connect the petitioner with the offence. During investigation, no cogent material could be collected to bring home the charges against the petitioner. However, one of the persons, not hailing from the same locality has surfaced and has made a statement that the deceased was earlier seen consuming liquor along with the petitioner and others.

Be it noted that the dead body of the deceased was later found in a pond. Apart from this, there is no other material in the police papers to warrant the



prosecution of the petitioner in this case.

Considering this aspect of the matter, the petitioner was granted provisional bail by order dated 27.07.2021 with a direction to him to participate and cooperate in the investigation.

Regard being had to the aforesaid facts, the provisional bail granted to the petitioner is hereby confirmed. He shall remain on the same bail bonds.

The application stands allowed.

(Ashutosh Kumar, J)

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