

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4121 of 2022

Arising Out of PS. Case No.-423 Year-2021 Thana- KHAGARIA District- Khagaria

Bhakul Sahni @ Sudhir Sahni Son Of Upendra Sahni Resident Of Village-
Ramtola, Kothiya, P.S.- Muffasil, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, App

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with Khagaria (Muffasil) P.S. Case No. 423 of 2021 instituted for the offences under Sections 365, 367, 120(B) of the Indian Penal Code and later on Section 302 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 30.07.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the informant alleges that when his sons Ashok and Bablu were returning after seeing the jalkar, they were assaulted and kidnapped by Balvir, Dharmveer and 15 unknown accused, after search Bablu was recovered who disclosed that Sikandar Sahni's



sons, his wife, grand-daughter along with other named accused persons, including the petitioner, kidnapped and killed the deceased.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and from perusal of the allegation as alleged in the F.I.R. it would manifest that it was Bablu who disclosed that the petitioner along with named accused persons had kidnapped his brother, who was killed subsequently. It is further submitted that the entire allegation hinges around suspicion, neither the informant nor Bablu are eye-witnesses to the murder. Learned counsel further submits that neither Bablu nor the informant or his family members made any endeavor before the superior authorities for getting the statement of Bablu recorded, it seems that since the entire family members of Sikandar Sahni were implicated in the present case and Bablu was aware of the fact and as such no endeavour was made to get his statement recorded or else he would have disclosed the truth about the occurrence. It is further submitted that the co-accused Sanjay Sah has been granted bail vide order dated 21.04.2022 in Cr. Misc. No. 68531 of 2021 and other co-accused also have been granted bail.



Learned counsel for the petitioner has further submitted that petitioner has been made accused on confessional statement before the Police.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 30.07.2021, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 423 of 2021 has been added.

(Khatim Reza, J)

Gaurav Kumar/-

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