

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8726 of 2022

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

Pandav Sahni Son of Suro Sahni @ Suresh Sahni Resident of Village -
Kothia, P.S.- Khagaria (Muffasil), Distt.- Khagaria (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 29-06-2022 Learned counsel for the petitioner seeks permission to
make corrections with regard to P.S. Case No. at para 1 as well
as prayer portion of the bail petition.

Permission is accorded.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks regular bail in connection with
Khagaria (Muffasil) P.S. Case No. 423 of 2021, G.R. No.1664
of 2021, instituted for the offences punishable under Sections
365, 367, 120(B) and 302 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 30.06.2021, 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, Dharamveer and 15 unknown accused persons, after search Bablu was recovered, who disclosed that Sikandar Sahni's son, his wife, grand-son along with other named accused persons including the petitioner, kidnapped and killed the deceased.

It is submitted that from the 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 instant 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 other co-accused namely, Sanjay Sah has been granted bail by a Co-ordinate Bench of this Court vide order dated 21.04.2022 passed in Cr. Misc. No. 68531 of 2021. It is also submitted that another co-accused namely, Dharmendra Sahni and Fulchand Sahni have been granted bail by a Co-ordinate Bench of this Court vide order dated 11.05.2022 passed in Cr. Misc No. 71767 of 2021 and order dated 11.05.2022 passed in Cr. Misc. No. 3608 of 2022 respectively.

Learned counsel for the petitioner submits that there is no specific allegation against the petitioner rather the petitioner is a maternal grandson of Sikandar Sahni. It is further submitted that he has falsely been implicated in this case.

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

Considering the fact that the petitioner is in custody since 30.06.2021 and charge-sheet has been submitted in the case, 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 Chief Judicial Magistrate, Khagaria. in connection with Khagaria (Muffasil) P.S. Case No.423 of 2021,



G.R. No.1664 of 2021.

(Khatim Reza, J)

Gaurav
Kumar/Annpurna
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