

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27345 of 2022

Arising Out of PS. Case No.-186 Year-2021 Thana- DURAULI District- Siwan

1. SANTOSH SAHANI S/o Ramashish Sahani Resident of Village- Dumarahar, P.S.- Darauli, District- Siwan
2. RAJU SAHANI S/o Ramashish Sahani Resident of Village- Dumarahar, P.S.- Darauli, District- Siwan
3. SURESH SAHANI S/o Ramashish Sahani Resident of Village- Dumarahar, P.S.- Darauli, District- Siwan
4. PRAGAT SAHANI S/o Late Jagdish Sahani Resident of Village- Dumarahar, P.S.- Darauli, District- Siwan

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 14-11-2022 Heard learned counsel for the petitioners and learned
APP for the State.

At the outset, learned counsel for the petitioners submits that by order dated 01-08-2022, the anticipatory bail application of petitioner No. 3, namely Suresh Sahani has already been dismissed as withdrawn.

The petitioner Nos. 1, 2 and 4 are apprehending their arrest in a case registered under Sections-302, 201/34 of the Indian Penal Code.

The prosecution case, in short, is that the husband of the informant had gone with one Kailash Sahani and thereafter, he was



done to death by the accused persons.

It has been submitted on behalf of the petitioner Nos. 1, 2 and 4 that the petitioner Nos. 1 & 4 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner Nos. 1, 2 and 4. The petitioner Nos. 1, 2 & 4 have been made accused in the present case merely on the basis of suspicion. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the participation of the petitioner Nos. 1, 2 & 4 in the present case.

On behalf of the State, it is submitted that the petitioner Nos. 1, 2 & 4 are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner Nos. 1, 2 & 4, 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 furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Siwan in connection with Darauli P.S. Case No. 186 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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