

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29320 of 2022

Arising Out of PS. Case No.-813 Year-2019 Thana- TURKAULIYA District- East
Champaran

=====

TUNNA KUMAR SAHANI S/o Amar Sahani Resident of Village- Dudhi,
P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Choubey Jawahar, A.P.P.
For the Informant	:	Mr. Rajesh Ranjan, Advocate
		Ms. Maria Nazir, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 27-07-2022 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner, Mr. Choubey Jawahar, learned Additional Public
Prosecutor appearing for the State and Mr. Rajesh Ranjan
learned counsel for the Informant.

Petitioner seeks regular bail in connection with
Sessions Trial No. 58 of 2021 arising out of Turkaulia
(Raghunathpur) P.S. Case No. 813 of 2019 registered for the
offences punishable under Sections 363 and 365 of the Indian
Penal Code. Subsequently, Sections 364A, 302, 201, 120-B, 414
and 35 of the Indian Penal Code were added.

This is second attempt for grant of regular bail on
behalf of the petitioner inasmuch as earlier the bail application
of the petitioner was rejected by this Court vide order dated



11.11.2020 passed in Cr. Misc. 24347 of 2020 with liberty to renew his prayer for grant of regular bail after one year if the trial does not show any progress.

The allegation against the petitioner is that he was instrumental in concealing the dead body of the son of the informant.

Learned counsel for the petitioner submits that during course of investigation, only material which has come against the petitioner is that he was asked by the co-accused to dig a ditch inasmuch as the petitioner is a driver of JCB and he was told that the co-accused persons wanted to conceal the consignment of liquor. He further submits that the petitioner demanded a sum of Rs.400/- for digging a ditch which was paid by the co-accused, and except that, no material has come against the petitioner to connect him with the present offence.

On the other hand, learned counsel for the Informant opposed the prayer for bail of the petitioner and submits that trial is at fag end inasmuch as out of ten charge sheet witnesses, six have already been examined.

The petitioner is in custody since 21.11.2019 having no criminal antecedent.

Having regard to submission made by the parties and



taking into consideration the fact that the petitioner was only involved in concealing the dead-body, he is in custody since 21.11.2019 having clean antecedent and this is second attempt for grant of bail on behalf of the petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Sessions Trial No. 58 of 2021 arising out of Turkauliya (Raghunathpur) P.S. Case No. 813 of 2019 subject to the condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

