

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44836 of 2021**

Arising Out of PS. Case No.-148 Year-2019 Thana- HATHAURI District- Muzaffarpur

Umesh Sahni Son of Mintu Sahni Resident of Village - Shahbazpur, P.S.-
Hathauri, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 05-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in connection with Hathauri
P.S. Case No. 148 of 2019 instituted for the offences under
Sections 363, 364, 365, 302, 201 and 34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 12.05.2020, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that
informant in the F.I.R. alleges that his son had altercation with
Kedar Sahani and Kailash Mahato on 21.08.2019 in the morning
on account of monetary dispute and they had threatened the
victim of dire consequences. It is further alleged that son of the



informant was traceless since 22.08.2019 from Shahwajpur Chowk. Accordingly the present F.I.R. was instituted.

Learned counsel for the petitioner submits that occurrence is of 22.08.2019 and the F.I.R. came to be instituted on 24.08.2019 and the reason for delay in instituting the F.I.R. has not been explained. It is further submitted that petitioner is not named in the F.I.R. rather it is alleged that son of the informant had altercation with Kedar Sahani and Kailash Mahato on account of monetary dispute. It is further submitted that one Binod Kumar @ Binod Sahani was arrested who in his confessional statement had named this petitioner. Learned counsel further submits that Binod Kumar @ Binod Sahani has been granted bail by order dated 02.12.2020 in Cr. Misc. No. 24510 of 2020.

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

Considering the fact that the petitioner is in custody since 12.05.2020, charge-sheet has been submitted in the case, the petitioner is a person with clean antecedent and Binod Kumar @ Binod Sahani on whose confessional statement the name of the petitioner transpired has been granted bail, 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 Shri Deepak Kumar, learned J.M.-1st Class, Muzaffarpur in connection with Hathauri P.S. Case No. 148 of 2019.

(Satyavrat Verma, J)

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