

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45024 of 2021

Arising Out of PS. Case No.-374 Year-2020 Thana- UJIYARPUR District- Samastipur

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ADESHWAR SAHNI @ ANDESHWAR SAHNI S/o AKALU SAHNI R/o
VILLAGE-CHANDCHAUR RAMNAGAR, P.S-UJIYARPUR, DISTRICT-
SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha, Advocate

For the Opposite Party/s : Mr.Atul Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 06-04-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 19.02.2021,
seeks regular bail in connection with Ujiyarpur P.S. Case No.
374 of 2020, for the offence punishable under Section 120B and
302 of the Indian Penal Code.

The prosecution case, in brief, is that the mother of
the informant had gone along with Yamki Devi @ Sheela Devi
on 11.12.2020. Next day in the morning, he came to learn that
his mother has been murdered. In course of investigation, the
name of the petitioner has surfaced on the basis of confessional
statement of co-accused Sheela Devi that the petitioner along



with other co-accused were involved in the murder of the deceased.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in this case mere on suspicion. He further submits that petitioner has been roped in the present case on the basis of CDR report, because petitioner has made phone call on the mobile of said co-accused Yamki Devi @ Sheela Devi, who is co-villager of the petitioner. He further submits that other co-accused namely Raj Kumar Paswan has already been released on bail vide order dated 31.03.2020 passed in Criminal Miscellaneous No. 42830 of 2021. The petitioner is in custody since 19.02.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Dalsinghsarai in connection with Ujiyarpur P.S. Case No. 374 of 2020, subject to the following conditions:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The Court below is directed to verify the criminal antecedent of the petitioner and if the petitioner is found accused in any other case, as mentioned in paragraph No.3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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