

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50552 of 2021

Arising Out of PS. Case No.-66 Year-2021 Thana- AAJAM NAGAR District- Katihar

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Soni Lal Sahani @ Sone Lal Sahani, Son of Buddhan Sahani @ Buddhan Sahanay, Resident of Village - Salmari, O.P.- Salmari, P.S.- Azamnagar, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 03-03-2022 Learned counsel for the petitioner submits that interlocutory application, bearing I.A. No. 1 of 2022 and a supplementary affidavit have been filed for rectification in para. 1 and cause title of the bail application, as the name of the petitioner is Soni Lal Sahani @ Sone Lal Sahani, but it was inadvertently typed as only Soni Lal Sahani.

Heard Mr. Sharda Nand Mishra, learned counsel for the petitioner and Mr. Jharkhandi Upadhyay, learned APP for the State.

Let the defect(s), if any, be removed within a period of four weeks after complete start of the physical Court.

The petitioner seeks bail in connection with Azam Nagar (O.P. Salmari) P.S. Case No. 66 of 2021 registered under



Sections 302, 120B/34 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submit the petitioner is in custody since 09.04.2021, is a person with clean antecedent, charge sheet has been submitted and the informant alleges that on 03.04.2021 the informant received information that his younger brother (deceased) was murdered by six unknown persons near Hanuman temple.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated during course of investigation, as the F.I.R. is against six unknown persons and the name of the petitioner transpired in the confessional statement of Ajay Mandal and mobile of the deceased was also recovered at the instance of Ajay Mandal. Learned counsel thus submits that since the Mobile was recovered at the instance of Ajay Mandal, hence the petitioner came to be implicated, which has no evidentiary value.

Learned APP opposes the bail application and submits that the name of this petitioner transpired in the confessional statement of Ajay Mandal.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge sheet has been submitted



and name transpired in the confessional statement of co-accused, which has no evidentiary value for the purpose of bail for the present, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in connection with Azam Nagar (O.P. Salmari) P.S. Case No. 66 of 2021.

(Satyavrat Verma, J)

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