

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42414 of 2022

Arising Out of PS. Case No.-293 Year-2021 Thana- MADHUBAN District- East Champaran

SHIVA SAHANI @ SHIV SAHANI Son of Ram Sudan Sahani @ Ram Surat Sahani Resident of Village - Garahiya, P.S. - Madhuban, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra
For the Opposite Party/s	:	Mr. Ram Sumiran Rai
For the State	:	Mr. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 19-09-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under section 302 read with 34 of the Indian Penal Code.

As per the prosecution case, there was good relationship between the informant's son, Sanjeet Sahani and the accused persons. On receiving a phone call from co-accused Manoj Sahani, the informant's son told the informant that he



was going to meet the co-accused Manoj Sahani and he would return within half an hour. When the informant's son did not return till next day morning, the informant and her family members started searching him and they came to know that the petitioner and co-accused persons in connivance with one another committed murder of Sanjeet Sahani by slitting his throat and later his dead body was found.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating article has been recovered from the possession of the petitioner. The petitioner is not named in the F.I.R and the name of the petitioner has sprung up in the confessional statement of the co-accused person Manoj Sahani. There is general and omnibus allegation against the petitioner. There is nothing against the petitioner except the confessional statement. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 08.09.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of detention, the petitioner above-



named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Madhuban P.S. Case No. 293 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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