

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56375 of 2021

Arising Out of PS. Case No.-194 Year-2021 Thana- GORAUL District- Vaishali

Hulash Sahani @ Ram Hulash Sahani S/O Late Prameshwar Sahani R/O
Village-Kabilpura, P.S-Goraul, District-Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mrs.Bela Singh

For the Opposite Party/s : Dr. (Mrs.) Indivar Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-02-2022 Heard learned counsel for the petitioner and
learned A.P.P. Dr. (Mrs.) Indiveer Kumari 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 regular bail in connection with
Goraul (Katahara O.P.) P.S. Case No. 194 of 2021 instituted for
the offences under Sections 302 and 34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 6.7.2021, is a person with clean
antecedent and charge-sheet has been submitted and the
informant alleges that called the husband of the informant for
fishing to the pond of Vindeshwar Rai on 6.5.2021,further
during fishing, Vindeshwar Rai, Bachchu Rai, Krishana Rai, Lal



Babu Rai and Pankaj Rai killed her husband by drowning him in the water due to enmity, further the informant came to know about the occurrence on 7.5.2021.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the FIR would manifest that the informant is not an eye-witness of the occurrence, the entire allegation is based on suspicion, further the husband of the informant had left for fishing on 6.5.2021 and did not come the whole night but the informant seemed was not bothered as she alleges in the FIR on 7.5.2021 that she came to know about the death of her husband on 7.5.2021. The learned counsel thus submits that the entire allegation hinges around suspicion and the FIR does not even disclose what kind of enmity the informant had with the petitioner and other accused persons and if the deceased was on an inimical terms with the petitioner and the accused persons then he would not have gone to the pond of Vindeshwar Rai for fishing.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted and entire allegation based on suspicion and there is no eye-witness to the occurrence, let the petitioner above named



be released on bail on furnishing bail bond of Rs.**10,000/-**
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of learned Ist Additional Chief Judicial
Magistrate, Vaishali at Hajipur, in connection with Goraul
(Katahara O.P.) P.S. Case No. 194 of 2021.

(Satyavrat Verma, J)

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