

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59263 of 2021**

Arising Out of PS. Case No.-282 Year-2020 Thana- AHİYAPUR District- Muzaffarpur

SANJAY KUMAR @ SANJAY SAHANI Son of Raghu Sahani Resident of  
Village - Chhit Bhagwatipur, Chandwara, P.S. Ahiyapur, District -  
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pankaj Kumar Singh, Adv

For the Opposite Party/s : Mr.Satyadeo Singh Yadav, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      07-02-2022                      Let the defects, as pointed out by the office, be  
  
removed within four weeks of starting of Court proceeding in  
  
physical mode in normal course.

Heard learned counsel for the petitioner and the  
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Ahiyapur  
P.S.Case No.282 of 2020 registered for the offence under  
Sections 363,365 and 34 of the Indian Penal Code. Later on  
Section 364,302 and 201 of the Indian Penal Code has been  
added.

As per the prosecution case, at 10 pm informant's son  
was called by her co-villager Feku Sahani upon which her son  
went there but he did not return thereafter. Few months before



the occurrence, petitioner and other accused persons had threatened informant to kill her son. Dead body of the deceased was recovered from a pond after two weeks of his disappearance.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that it appears from the FIR itself that the informant is not an eye witness of the alleged occurrence. He further submits that only on the basis of suspicion, the petitioner has been implicated in the present case. Learned counsel for the petitioner submits that there is admitted land dispute between the parties. He further submits that co-accused, namely, Lalu Sahani @ Lal Babu Sahani has been granted bail vide order dated 14.06.2021 in Cr. Misc. No.2873 of 2021 and another co-accused, namely, Feku Sahani has been granted bail vide order dated 12.07.2021 in Cr. Misc. No.2256 of 2021 by different Coordinate Benches of this Hon'ble Court and co-accused, namely, Muna Sahani has been granted bail by this Court vide order dated 10.12.2021 in Cr. Misc. No.45408 of 2021 and the petitioner is in custody since 19.12.2020.

Learned A.P.P. for the State has opposed the prayer for



bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No.282 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of



verification.

**(Rajesh Kumar Verma, J)**

Nitesh/-

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