

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67414 of 2021

Arising Out of PS. Case No.-358 Year-2021 Thana- KANTI District- Muzaffarpur

INDAL SAHNI @ NAVINDAR SAHNI S/o Chhathu Sahni @ Sathu Sahni
R/o Village - Ramnath Dhamauli, P.S. - Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar, Advocate
For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 363, 365, 364, 302, 120B and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 14.08.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the informant alleges that on 23.05.2021 at about 5 p.m., all the named accused persons, including the petitioner, came to the house of the informant and took his son, aged about 19 years, to the house of the petitioner. It is further alleged that when the informant called on the mobile of his son at 9 p.m. the call went



unattended and thereafter the mobile was switched off, further despite search his son was not found thus alleges that the accused persons, including the petitioner, might have killed his son.

Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R. it would manifest that at best it is a case of suspicion as the informant based on suspicion has instituted the present F.I.R. It is further submitted that it absolutely does not stand to reason that if the informant was knowing that the deceased had gone to the house of the petitioner then why no enquiry from the petitioner was made with regard to the whereabouts of the deceased before lodging the F.I.R. Learned counsel further submits that the informant is not an eye-witness to the occurrence and similarly situated co-accused Rajesh Roy has been granted anticipatory bail vide order dated 27.01.2022 passed in Cr. Misc. No. 55462 of 2021.

Learned counsel for the informant and learned A.P.P. for the State vehemently oppose the prayer for bail of the petitioner and submit that the deceased was taken to the house of the petitioner as such on recovery of the dead body of the deceased, the probable suspect would be the petitioner but the



learned counsel for the informant is not able to meet the submissions of the learned counsel for the petitioner that the entire allegation hinges around suspicion, that the informant is not an eye-witness to the occurrence and similarly situated co-accused has been granted anticipatory bail.

Considering the fact that the petitioner is in custody since 14.08.2021, is a person with clean antecedent, charge-sheet has been submitted in the case, co-accused has been granted anticipatory bail, as aforesaid, and taking into consideration the submissions made by the learned counsel for the petitioner, 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 the learned court below where the case is pending/successor court in connection with Kanti P.S. Case No. 358 of 2021.

(Satyavrat Verma, J)

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