

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2879 of 2023

Arising Out of PS. Case No.-28 Year-2022 Thana- KHODAWANDPUR District- Begusarai

Janardan Sahni @ Jalo Sahni Son Of Chalitra Sahni Resident Of Village-
Sripur (Khanjhapur), P.S.- Cheria Bariyarpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhushan Poddar, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 26-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with
Khodawandpur (Chhaurahi O.P.) P.S. Case No.28 of 2022
registered for the offence under Sections 302, 201, 120-B and
34 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 15.06.2022.

The allegation against the petitioner is to murder the
brother of informant alongwith other co-accused persons, where
dead body of the brother of informant was recovered from an
open place, suspecting that death was caused by pressing neck
or by way of drowning.

Learned counsel appearing on behalf of the petitioner



submitted that the name of petitioner surfaced purely on the basis of suspicion as during the course of investigation some unknown villagers stated their statement before Investigating Officer of this case that one Ranjan Paswan is knowing something about this case, who subsequently named this petitioner, where his confessional statement was obtained. It is further submitted that even as per self-confession of this petitioner, maximum allegation as appearing of “last seen” and said circumstance is not of such magnitude on the basis, it can be said that none else than this petitioner committed the murder of brother of the informant. It is also submitted that similarly situated co-accused, namely Biro Sahni, has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 2112 of 2023 vide order dated 25.04.2023. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned



above as save and except “last seen” no further incriminating circumstance surfaced/recovered during the course of investigation against this petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, where petitioner is in custody since 15.06.2022, let above named petitioner is directed to be released on bail in connection with Khodawandpur (Chhaurahi O.P.) P.S. Case No.28 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Manjhaul, Begusarai/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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