

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10252 of 2023

Arising Out of PS. Case No.-405 Year-2022 Thana- SUGAULI District- East Champaran

KRISHNA SAHANI Son of Shankar Sahani Resident of village - Shripur
Dharampur, P.S.- Sugauli, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 147, 148,
149, 341, 323, 324, 307, 302, 120B of the Indian Penal Code.

As per prosecution case, while the informant and her
husband were sitting at their house, in the meantime, all FIR
named accused persons including the petitioner armed with
various weapons came there started abusing them. It is further
alleged that on opposed, the accused persons started assaulting
to the informant's husband due to which he died on spot.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. There is a
dispute regarding partition between the parties due to this reason
the petitioner has falsely been implicated in this case. From



perusal of F.I.R., general and omnibus allegation of assaulting leveled against the petitioner. As per postmortem report which is annexed with the Case diary, it appears that the death of the deceased was occurred due to head injury and the said injury is not specifically attributed to the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 12.9.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sugauli P.S. Case No. 405 of 2022 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, East Champaran at Motihari.

(Sunil Kumar Panwar, J)

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