

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17448 of 2023

Arising Out of PS. Case No.-390 Year-2021 Thana- KESARIA District- East Champaran

Sunil Sahani Son Of Banka Sahani Resident Of Village - Fultakiya, P.S. -
Kesariya, Distt. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302/120B of the Indian Penal Code.

As per FIR, the informant alleged that her brother after selling truck returned to his in-laws house and later on they got information that he is hanging from a tree. The informant accordingly, suspects that the wife of her brother in connivance with her family members killed her brother.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is brother-in-law as a result of which the petitioner has falsely been implicated in this case. As per impugned order, it appears that the cause of death of the deceased is asphyxia due



to hanging. Similarly situated co-accused namely, Banka Sahani has already been granted bail by a co-ordinate Bench of this Court vide order dated 21.9.2022 passed in Cr. Misc. No. 21.9.2022 and in support of this Annexure-2 has been annexed with this petition. It is further submitted that charge sheet has been submitted u/s 306 of I.P.C. Moreover, the petitioner has got no criminal antecedents and languishing in judicial custody since 28.11.2022.

Learned APP appearing for the state has 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 Keshariya P.S. Case No. 390 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Sadar Motihari, East Champaran.

(Sunil Kumar Panwar, J)

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