

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27933 of 2023

Arising Out of PS. Case No.-746 Year-2015 Thana- KHAGARIA District- Khagaria

SANJAY SAHNI Son of Late Ajablal Sahni Resident of village - Gahtara,
P.S.- Gangour (Khagaria), District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Renu Kumari

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with S.T. No. 429 of 2022 arising out of Supplementary Khagaria P.S. Case No. 746 of 2015 dated 26.11.2015 registered for the offences punishable u/s 364, 302, 201 read with section 34 of the Indian Penal Code and section 3/4 of the Prevention of Witch (Daain) Practices Act.

As per the prosecution case, on 18.11.2015 the grand mother of the informant, namely Ganga Devi had gone to



village Gahatara. Thereafter, 25.11.2015 the informant received information that the accused persons including the petitioner identified Ganga Devi as Daain and assaulted her with lathi and danda and also committed her murder. Her dead body was cut into pieces and thrown into the river Gandak.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no eye-witness in this case. The charge sheet has already been submitted in this case. There is general and omnibus allegation against the petitioner. The petitioner is named in the FIR only on the basis of suspicion. Similarly situated co-accused has already been granted bail by the co-ordinate bench *vide* order dated 08.09.2016 passed in Cr. Misc. No. 30397 of 2016. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.12.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, Khagaria in connection with S.T. No. 429 of 2022 arising out of Supplementary Khagaria P.S. Case No. 746 of 2015.

The application stands allowed.

(Chandra Prakash Singh, J)

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