

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31654 of 2023

Arising Out of PS. Case No.-201 Year-2018 Thana- KANTI District- Muzaffarpur

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MINTU SAHANI @ VIRENDRA SAHANI Son of Late Ram Chandra Sahani Resident of Village - Chhapra Manorath, P.S.- Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prem Kumar Paswan
For the Opposite Party/s : Mr.Tapeshwar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case instituted for the offence under Sections 302/34 of the Indian Penal Code.

It is alleged in the written report filed by one Chowkidar that during his visit in the village he found that one dead body is being cremated in Bansbari. The informant took the dead body in his possession and found injury on the dead body. The villagers also arrived. They told the informant the name of the deceased Ashok Sahni. The informant has further alleged that he learnt that last night he was assaulted by his father, namely Ram Chandra Sahni and brother, namely, Mintu



Sahni (petitioner) on account of altercation in the house.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is brother of the deceased, who has cordial relation with the deceased. Petitioner was neither arrested from the spot nor he was present at the place of occurrence. Only on the basis of confessional statement of Chaukidar, the petitioner has been implicated in the present case, which has got no evidentiary value in the eyes of law. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 26.03.2019 passed in Cr. Misc. No. 16844 of 2019. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 09.06.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned Additional Chief Judicial Magistrate,
Muzaffarpur in connection with Kanti P.S. Case No. 201 of
2018.

(Sunil Kumar Panwar, J)

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