

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33746 of 2023

Arising Out of PS. Case No.-153 Year-2019 Thana- KATRA District- Muzaffarpur

CHHOTU SAHNI S/O LATE MAHESI SAHNI Resident of Village- Bhorha,
(Panchayat Jajuar West), P.S. - Katra, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arinjay Kumar, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-07-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
02.07.2019 in connection with S. Tr. No. 11/2020, arising out of
Katra P.S. Case No.153/2019, dated 01.07.2019, for the offences
punishable under Sections 302 of the IPC.

3. According to prosecution case, the petitioner is
alleged to have assaulted by means of Gandasa on the neck of
mother-in-law of the informant while she was sleeping due to
which she died.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated. He



further submits that as per allegation in the F.I.R. the petitioner has committed murder of his Aunty and mother.

5. Vide order dated 24.06.2023 a report was called for from the learned Trial Court. Report dated 28.06.2023 of the learned Trial Court reveals that the charge has been framed on 15.07.2021 but till date the prosecution has not examined any witness.

6. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court, the trial is not likely to be concluded in near future and the petitioner is in custody since 02.07.2019.

7. Learned Additional Public Prosecutor for the State on the other hand has opposed the prayer for bail of the petitioner.

8. Considering the report of the learned trial court and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-13th, Muzaffarpur in connection with Katra P.S. Case No.153/2019, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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