

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32957 of 2023

Arising Out of PS. Case No.-426 Year-2022 Thana- SANGRAMPUR District- East
Champaran

SUBHASH SAHNI Son of Late Bhola Sahni Resident of Village- Bariariya
PS- Sangrampur, 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.Akbar Ali

Mr. Umesh Chandra Verma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-09-2023

Heard learned counsel for the parties.

2. Petitioner apprehends his arrest in a case registered for the offence punishable under Section 302/201/34 of the Indian Penal Code.

3. As per the prosecution case, the informant suspects that this petitioner along with other accused persons committed the murder of his son.

4. Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. The informant is not an eye witness of the occurrence. It is further submitted that there is land dispute between the parties and informant prior to the occurrence came to settle the dispute by Panchayati but petitioner did not settle the matter and scuffle took place between the informant and the petitioner and due to that petitioner has been implicated in this case. It is next submitted that during the course of investigation daughter of the deceased has stated that some scuffle took place between her father (deceased) and mother as her mother was reluctant to go Sasural and thereafter the deceased committed



suicide. It is also submitted that though there is allegation of assault but as per post mortem report cause of death is asphyxia due to hanging. Moreover, petitioner is not the family member of the deceased rather he is Gotia and he has got no concern with family affairs of the deceased.

5. Learned counsel appearing for the State and the informant opposed the prayer for anticipatory bail.

6. Considering the facts of the case and nature of accusation against the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st class, East Champaran, Motihari in connection with Sangrampur PS case No. 426/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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