

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38099 of 2022

Arising Out of PS. Case No.-364 Year-2019 Thana- PAKRIDAYAL District- East Champaran

Vikash Sahani S/O Raja Ram Sahani Resident Of Village- Sundarpatti, P.S.-
Pakridayal, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-01-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Section 302, 201, 120(B)/34 of the Indian Penal Code.

As per allegation in the FIR,six accused persons including the petitioner took away the husband of the informant, namely, Prayag Rai, on the pretext of irrigating the field. Thereafter, there was no trace of her husband. It is further alleged that in the past, there has been ongoing dispute for transaction of money between the husband of the



informant and co-accused Ram Janam Sahni for which he had threatened of dire consequences.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that petitioner is languishing in judicial custody since 28.11.2021. it is further submitted that the petitioner was not named in the FIR and his name sprang up during the investigation of the case, on the admitted fact that petitioner was lastly seen at the door of informant with other co-accused persons. There is no eye witness on the point of murder or concealment of dead body of the deceased. There is no specific overt act of allegation levelled against the petitioner. It is also submitted that there is no external injury was found on the body of deceased. It is further submitted that similarly situated co-accused person has been granted Bail by co-ordinate Bench of this Court vide order dated 13.07.2021, passed in Cr. Misc. No. 9955 of 2021.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sessions Trial No. 307 of 2022 arising out of Pakridayal P.S. Case No. 364 of 2019 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, XIIIth East Champaran, Motihari.

(Sunil Kumar Panwar, J)

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