

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42272 of 2023

Arising Out of PS. Case No.-119 Year-2021 Thana- BIBHUTIPUR District- Samastipur

Arjun Sahni @ Arjun Mukhiya Son Of Late Lovik Sahani @ Lobhik Sahni
Resident Of Village- Deshri Urf Sahjahanpur, Ward No. 12, Malah Toli, Ps-
Bibhutipur, District- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Kumar

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case
registered for the offence punishable under section 302/34 of the
Indian Penal Code.

3. As per allegation in the FIR, there was a quarres
between the husband of the informant and co-accused Dasrath
Choudhary and his son Raushan Choudhary. At same day,
Dasrath Choudhary took him away to the house of Arjun Sahni
for drink but he did not return till late night. During search,
informant found the dead body of his husband and then the FIR.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. Specific



allegation and suspicion was against co-accused Dasrath Chaudhary and Roshan Chaudhary but both were acquitted by the learned lower court, judgment is annexed as Annexure-3 to this petition. No one is the eye witness of the alleged occurrence. No specific overt act is alleged against the petitioner. Petitioner has got no criminal antecedent and languishing in judicial custody since 8.10.2022.

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

6. Having heard learned counsel for the parties and considering 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 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 District and Sessions Judge-I, Rosera (Samastipur) in connection with Bibhutipur P.S. Case No. 119 of 2021.

(Sunil Kumar Panwar, J)

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