

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42736 of 2023

Arising Out of PS. Case No.-96 Year-2022 Thana- KOTWA District- East Champaran

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Amar Sahani @ Amar Kumar Sahani Son Of Chandrika Sahani Resident Of
Village - Barharwa Badka Math, P.S. - Kotwa, Dist. - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manish Kumar No. 2, Advocate Mr. Nilendra Kumar Choudhary, Advocate Mr. Rahul Kumar Dubey, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 20-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 1382 of 2022 arising out of Kotwa P.S. Case No. 96 of 2022 (G.R. Case No. 1354 of 2022) dated 18.03.2022 registered for the offence punishable under Sections 302 and 379 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the



co-accused persons are alleged to have committed murder of the informant's son with gupti and knife. It is further alleged that they had looted the ornaments worth Rs. 2 lacs and Rs. 1 lacs in cash from his house.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Similar situated co-accused person has already been granted anticipatory bail vide order dated 21.11.2022 passed in Cr. Misc. No. 29021 of 2022. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 19.03.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Sessions Trial No. 1382 of 2022 arising out of Kotwa P.S. Case No. 96 of 2022 (G.R. Case No. 1354 of 2022).



8. The application stands allowed.

(Chandra Prakash Singh, J)

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