

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46826 of 2023**

Arising Out of PS. Case No.-410 Year-2022 Thana- KANTI District- Muzaffarpur

Devendra Sahni, S/o Bajrangi Sahani, R/o Village-Laskaripur, P.S-Kanti,
Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 01-08-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Kanti
P.S. Case No.410 of 2022 registered for the offences punishable
under Sections 365, 302 and 201 read with 34 of the Indian
Penal Code.

3. The accused/petitioner is named in the FIR and is
in custody since 22.05.2023.

4. Allegation against the petitioner is to commit the
murder of son of the informant along with other co-accused
persons after kidnapping.

5. It is submitted by Mr. Ansul, learned counsel
appearing for the petitioner that petitioner has been implicated



falsely out of local village dispute and differences, who is a man of clean antecedent. It is submitted that save and except last seen, nothing appears during the course of investigation as to connect him *prima facie* with present occurrence of murder. It is submitted that even the dead body of the son of informant found after two days of the alleged last seen, where son of informant left home with this petitioner out of his own will. While concluding argument, it is submitted that investigation of this case is completed for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of above-mentioned facts and circumstances, as save and except last seen and suspicion, nothing appears *prima facie* to connect the petitioner with present occurrence of murder, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 22.05.2023, accordingly, the petitioner, above-named, is directed to be released on bail 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 Judicial Magistrate-1st Class, Muzaffarpur in connection with Kanti P.S.



Case No.410 of 2022, subject to the conditions as laid down
under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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