

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52329 of 2022

Arising Out of PS. Case No.-330 Year-2021 Thana- GORAUL District- Vaishali

1. Manjan Sahni @ Majan Sahni @ Singeshwar Sahni @ Singheshwar Sahni
Son Of Late Vishuni Sahni Resident Of Village - Chainpur, P.S.-Goraul,
(Katahara O.P.), District - Vaishali.
2. Mahesh Das Son of Late Jamun Das Resident of village - Hidayatpur,
(Kathara) P.S.-Goraul, (Kathara O.P.), District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-02-2023 Heard learned counsel for the petitioners,

informant and learned A.P.P appearing on behalf of the

State.

The petitioners are languishing in custody in a

case registered for the offences punishable under

Sections 302/34 of the Indian Penal Code.

The prosecution case as per F.I.R is that these

petitioners and co-accused Rajender Baitha came at the

house of the informant and took away the husband of

the informant with them. When the husband of the



informant did not return home, she went along with her nephew in search of her husband where she found four to five persons near the bush running away after seeing the informant. In torch light, the informant identified the petitioners as she was known to the petitioners from before. On search of the bush, the dead body of the husband of the informant was recovered.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. There is no eye witness to the occurrence and during investigation also, no substantial evidence has been collected against the petitioners to connect the petitioner with the alleged offence. There is general and omnibus allegation against the petitioners. The petitioners are languishing in custody since 03.06.2022 and 04.06.2022 respectively. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Learned counsel appearing on behalf of the



informant and learned A.P.P for the State have vehemently opposed the prayer for bail of the petitioners and submitted that informant has seen the petitioners fleeing away from the place of occurrence. The independent witnesses have also supported the case of the prosecution.

Considering the fact that there is no substantial proof against the petitioners in the commission of murder of the deceased and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Vaishali at Hajipur in connection with Goraul P.S. (Katahara O.P.) Case No. 330 of 2021.

(Sunil Kumar Panwar, J)

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