

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55832 of 2023

Arising Out of PS. Case No.-54 Year-2021 Thana- SURYAGARHA District- Lakhisarai

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Ramu Sahani @ Ramu Kumar Sahani S/O Suresh Sahani R/O Village-
Jakapura, P.S- Surajgarha, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajnish Chandra, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-08-2023 Heard the parties.

2. The petitioner is in judicial custody in connection with Surajgarha P.S. Case No. 54 of 2021 for the offence punishable under Section 302/34 of the Indian Penal Code lodged on 06.03.2021 by the informant, Anita Devi.

3. As per the prosecution story, the the informant Anita Devi alleged that accused persons had taken her husband for fishing, he went near the river market shop where the other accused persons pressed his neck causing his death. Accordingly the FIR.

4. It is the case of the petitioner that only on suspicion accused persons have been implicated in the case. No specific allegation is against this petitioner and some other accused persons, similarly situated, have since been granted bail which



include Suresh Sahni (Cr. Misc. No.64814 of 2021) and Santosh Sahani (Cr. Misc. No.4277 of 2023) by the coordinate Benches of this Court.

5. Learned APP opposes the prayer stating that the informant has suspicion against the accused persons.

6. Taking into account the submissions put forward by the learned counsel for the rival parties, there is no eyewitness to the occurrence, the petitioner is in custody since 05.06.2023 (paragraph 1 of the petition), as also similar placed co-accused have since been released on bail, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, Lakhisarai, in connection with Surajgarha P.S. Case No. 54 of 2021 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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