

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55270 of 2022

Arising Out of PS. Case No.-293 Year-2021 Thana- MADHUBAN District- East Champaran

Manoj Sahani S/O Suresh Sahani R/O Village- Garahiya, P.S.- Madhuban,
District- East Champaran At Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 18-04-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is 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 on
04.09.2021, the petitioner being neighbour of the
informant called her and wanted to talk to her son
Sanjeet Sahani. There was some conversation and
thereafter his son told her that he is going out and will
come back within half hour. However, when till morning,
her son did not return, the informant went to the house



of this petitioner and enquired about her son. In course of search, the dead body of her son was recovered with slit throat. The informant raised suspicion that petitioner and others might have killed her son.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is no consistent material evidence against the petitioner and only on the basis of last seen and suspicion, the petitioner has been roped in the present case. There is no eye witness to the occurrence. The petitioner is languishing in custody since 07.09.2021. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, other similarly situated co-accused persons have already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 17.10.2022 passed in Cr. Misc. No. 5067 of 2022 and other analogous cases.

Learned A.P.P appearing on behalf of the State



has vehemently opposed the prayer for bail of the petitioner and submitted that during investigation, the involvement of the petitioner was found. The independent witnesses have also supported the factum of the crime.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sadar Motihari, East Champaran in connection with Madhuban P.S. Case No. 293 of 2021(Sessions Trial No. 395/2022).

(Sunil Kumar Panwar, J)

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