

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55514 of 2023

Arising Out of PS. Case No.-30 Year-2013 Thana- HATHAURI District- Muzaffarpur

1. Sakaldeo Sahni Son Of Bhutta Sahni Resident Of Village - Tarajiwar, P.S. - Hathauri, District - Muzaffarpur
2. Raj Kishore Sahni Son Of Late Chulhai Sahni Resident Of Village - Tarajiwar, P.S. - Hathauri, District - Muzaffarpur, At Present Village - Rampur Hari, P.S. - Hathauri, District - Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 302, 34 of the Indian Penal Code.

As per prosecution case, the allegation against the accused persons including the petitioners is that when the father of the informant was sleeping at his *dalan* the meantime, all accused persons came and started abusing and assaulting him as a result of which his father died.



Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Both parties are agnates and due to land dispute they have falsely been implicated in this case. The informant is not an eye witness of the alleged occurrence and no specific allegation levelled against the petitioners. It is further submitted that consistent material has come out against the petitioner. Similarly situated co-accused persons have already been granted bail by a Coordinate Bench of this Court vide order dated 16.05.2023 passed in Cr. Misc. No. 15398 of 2023. They have been languishing in judicial custody since 27.06.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Hathauri P.S. Case No. 30 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned Judicial
Magistrate, Ist Class, East Muzaffarpur.

(Sunil Kumar Panwar, J)

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