

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66611 of 2023

Arising Out of PS. Case No.-73 Year-2023 Thana- SAHEBGANJ District- Muzaffarpur

1. SATINDRA SAHNI @ SATYENDRA SAHNI S/O SATYANARAYAN SAHNI R/O VILLAGE- GULAB PATTI, MUNDMALA, P.S- SAHEBGANJ, DISTT.- MUZAFFARPUR.
2. BIBHA DEVI W/O SIKINDRA SAHNI R/O VILLAGE- GULAB PATTI, MUNDMALA, P.S- SAHEBGANJ, DISTT.- MUZAFFARPUR.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Patel
For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-10-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code.

3. The allegation against the petitioners is that they killed the son of the informant in collusion with other accused persons.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. He submits that the occurrence took place on 31.01.2023 and post mortem of the deceased was done on 01.02.2023 but the FIR



has been lodged on 23.02.2023 i.e. after a delay of about 21 days, without giving any plausible explanation regarding the same, which creates a doubt over the prosecution story. He further submits that there is no eye witness to the alleged occurrence, petitioners have been made accused merely on the basis of suspicion. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is a delay in lodging the FIR, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Sahebganj P.S. Case No.73 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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