

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4277 of 2023

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

SANTOSH SAHANI S/O SURESH SAHANI Resident of village- Jakarpura,
P.S.- Surajgarha, District- Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Chandra

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

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Surajgarha P.S. Case No. 54 of 2021, registered
for the offences punishable under Sections 302/34 of the IPC.

As per allegation, the husband of the informant was
called out by co-accused Suresh Sahni for catching fish.
Thereafter, the accused persons named in the FIR including the
petitioner and other co-accused persons, committed murder of
her husband by throttling.

The learned counsel for the petitioner has submitted
that on exactly similar footing, co-accused Nunulal Sahni and
Suresh Sahni have been granted bail by coordinate Benches of
this Court in Cr. Misc. Nos. 66546 of 2022 and 64814 of 2021
respectively. The petitioner is a person of clean antecedent and
under custody since 09.11.2022.



On the other hand, the learned APP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances specially the fact that co-accused on similar footing has been granted bail, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Surajgarha P.S. Case No. 54 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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