

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1620 of 2023

Arising Out of PS. Case No.-170 Year-2022 Thana- SIWAIPATTI District- Muzaffarpur

SUBODH KUMAR SAHNI Son of Chandeshwar Sahni Resident of village -
Raghai Kothi, P.S.- Siwaipatti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under section 302/34 of the Indian
Penal Code.

As per allegation in the FIR, while son of the
informant and his friend Anil Kumar were returning towards
their house, on way near bridge three unknown motorcycle
borne criminal stopped them and snatched their mobiles. It is
further alleged that when the informant and others reached at the
place of occurrence, they found that his son, namely Bittu
Kumar was lying in the pool of blood and at S.K.M.C.H.
Muzaffarpur, he was declared dead.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case on mere



suspicion. No one is the eye witness of the alleged occurrence except Anil Kumar, who has not said anything against the petitioner. During investigation, no consistent evidence has come against the petitioner to show his complicity in the present case. No specific overt act is attributed to the petitioner. Petitioner is languishing in judicial custody since 6.9.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that deceased was in love as well as in talking term with the petitioner's sister for which petitioner used to warn not to harass his sister otherwise he would get him killed.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., East Muzaffarpur in connection with Siwaipatti P.S. Case No. 170 of 2022.

(Sunil Kumar Panwar, J)

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