

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25523 of 2024

Arising Out of PS. Case No.-758 Year-2022 Thana- AHIYAPUR District- Muzaffarpur

Deepan Sahni son of Late Yogi Sahni Village- Salempur Ps- Ahiyapur Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pradhan Murli Manohar Prasad, Advocate
	:	Mr. Raju Kumar, Advocate
	:	Mr. Abhash, Advocate
For the State	:	Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-07-2024 Heard Mr. Pradhan Murli Manohar Prasad, learned
counsel for the petitioner and Mr. Yogendra Kumar, learned
A.P.P. appearing on behalf of the State.

2. The petitioner seeks bail, who is in custody since
18.09.2023, in connection with Ahiyapur P.S. Case No. 758 of
2022, FIR dated 27.08.2022 registered for the offence under
Sections 302 and 201/34 of the Indian Penal Code.

3. On 06.08.2022 at around 5:30 P.M. the informant's
mother had left for Raghapur to procure brinjal plant. When she
did not return by 8 P.M., informant started searching for her. At
around 01:00 A.M. in the night her mother's body with slit
throat was found 500 meters away from her house.

4. Learned counsel appearing for the petitioner



submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that initially the petitioner has not been named in the F.I.R. but only on the basis of the suspicion his name has been transpired in this case. He further submits that except the suspicion, no other cogent material has come during the investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 18.09.2023.

5. Learned A.P.P. for the State, on the other hand, vehemently opposes the prayer for bail of the petitioner and submits that it has come during the investigation in para-34 of the case diary that some altercation took place between the petitioner and the deceased due to some dues amount apart from that the petitioner carries one case other than the present one but fairly submits on the basis of the para-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



C.J.M., Muzaffarpur in connection with Ahiyapur P.S. Case No. 758 of 2022 with the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(ii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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