

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24607 of 2024

Arising Out of PS. Case No.-400 Year-2021 Thana- PAROO District- Muzaffarpur

BANSHI SAHNI S/O SHAMBHU SAHNI R/O VILLAGE- GOKHULA,
BHAGWATPUR, P.S- PAROO, DISTRICT- MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh, Adv.

For the Opposite Party/s : Ms.Dr. Indihar Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 302/34 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioner assaulted the informant's son and took him away with them. On 09.10.2021, the informant's son was found near her house in unconscious condition. Thereafter, informant admitted her son to emergency ward where he died during treatment.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no



offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. The real fact is that the deceased was died due to consumption of liquor. The present case has been filed against the petitioner with a view to harass him. A counter case has also been filed by the aunt of the petitioner. It is further submitted that the postmortem report of the deceased has also not supported the prosecution case. Similarly situated co-accused persons have been enlarged on anticipatory bail by this Bench. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as the postmortem report of the deceased has not supported the prosecution case, let the above named petitioner, be released on bail, in the event of his 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) 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
Paroo P.S. Case No. 400 of 2021, subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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