

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26520 of 2024

Arising Out of PS. Case No.-1260 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Jhapas Sahni S/o- Late Baldeo Sahni R/o- Village Sheikhpur, PS-Ahiyapur,
Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 03-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Ahiyapur P.S. case No. 1260 of 2023 instituted for the offence
under Sections 302 and 120B of the Indian Penal Code.

3. Prosecution case, in short, is that on the alleged date
and time of occurrence, the accused persons including the
petitioner killed the informant's brother-in-law by slitting his
throat after hatching conspiracy.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
allegation against the petitioner is that he along with others had
caught hold the deceased and there is no specific allegation



attributed against him. It is submitted that the specific allegation of slitting is against co-accused, namely, Ravi Kumar. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.10.2023 and has no criminal antecedent. Similarly situated co-accused person has already been granted bail by this Court *vide* order dated 11.03.2024 passed in Cr. Misc. No. 14674 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ahiyapur P.S. case No. 1260 of 2023.

(Rudra Prakash Mishra, J)

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