

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50250 of 2024

Arising Out of PS. Case No.-435 Year-2022 Thana- KESARIA District- East Champaran

Ravi Sahani @ Kalu @ Kulu Sahani, Son of Late Ganesh Sahani, Resident of
Village- Chand Parsa, P.S.- Kesariya, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner seeks bail in connection with Kesariya P.S. Case No. 435 of 2022, registered for the alleged offence under Sections 302/34 of the Indian Penal Code.

03. As per prosecution case, the dead body of the son of the informant, who was stabbed to death, was recovered near an agricultural field. The name of the petitioner transpired during investigation as one of the persons who was also involved in murder of son of the informant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case merely on suspicion. Learned counsel further submits that



there is no tangible material to connect the petitioner with the offence of murder of son of the informant. Learned counsel further submits that similarly placed co-accused, Nitesh Sahni has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 31.01.2024 passed in Criminal Misc. No. 2597 of 2024. The co-accused Chhotan Sharma has also been granted anticipatory bail by this Court vide order dated 29.02.2024 passed in Cr. Misc. No.68242 of 2023. The learned counsel further submits that the petitioner is in custody since 20.08.2023 and charge sheet has been submitted. The petitioner is having clean antecedent.

05. Learned A.P.P. vehemently opposes the submission made on behalf of the petitioner. The learned APP submits that the petitioner was also involved in the murder of the son of the informant.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the lack of substantive material against the petitioner to connect him with the offences as alleged and further considering the grant of anticipatory bail to the similarly placed co-accused persons and further considering the period of custody along with submission of charge sheet and clean antecedent of the petitioner, the



petitioner above named is directed to 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 learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Kesariya P.S. Case No. 435 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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