

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79040 of 2023

Arising Out of PS. Case No.-58 Year-2021 Thana- KARJA District- Muzaffarpur

Rajesh Sahani @ Rajesh Kumar Sahani S/O Sri Rajdeo Sahani Village-
Barkagaon, Tole Mathia, Ps. Karja, Dist. 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. Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-01-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 302, 201/34 of the Indian Penal Code.

3. As per allegation in the FIR, on 28.2.2021, informant's father (since deceased) was caused to death and on hearing noise from the villagers that his dead body was lying in the pond, informant went there and identified his father's dead body over which mark of injuries were present. It is further alleged that informant's father went outside on petitioner's motorcycle to meet his business partners for settling accounts of selling of fish but did not



return till midnight. His phone was also getting switched off.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. There was extra marital affair of the petitioner with a lady, wife of his co-villager and the same was being opposed by deceased's son. And prior to his death he has filed a complaint case no. 69 of 2021 in which he had mentioned threat of death by his son (informant). The petitioner was not indulged in fishing business rather he used to work in Lucknow and on the alleged date of occurrence, he was out of station. No one is the eye witness of the present case. Save and except suspicion, no consistent evidence has come against the petitioner to show his complicity in the present case. Petitioner has got no criminal antecedent and languishing in judicial custody since 13.09.2023.

5. The application for bail is opposed by learned APP for the State.

6. 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 Judicial Magistrate, 7th, 1st Class, Muzaffarpur in connection with Kajra P.S. Case No. 58 of 2021.

(Sunil Kumar Panwar, J)

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