

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2597 of 2024

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

Nitesh Sahni S/O Prabhu Sahni Village- Bhagwatiya Siwan, Ps. Kesariya,
Dist. East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
		Ms. Rashmi Jha, Advocate
For the Opposite Party/s	:	Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 302/34 of the Indian
Penal Code.

3. As per the F.I.R., son of the informant was stabbed
to death by unknown persons.

4. Learned counsel for the petitioner submits that
from bare perusal of the F.I.R. it is apparent that petitioner is not
an eye witness of the occurrence and in fact, there is no eye
witness of the alleged occurrence. He further submits that
petitioner has been made accused on the confessional statement
of co-accused Rajan Sharma and except the confessional



statement there is no other material available on record to suggest his complicity in the aforesaid crime. Petitioner claims clean antecedent.

5. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari in connection with Kesaria P. S. Case No. 435 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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