

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72220 of 2024

Arising Out of PS. Case No.-48 Year-2013 Thana- MANIYARI District- Muzaffarpur

Sukdeo Sahani @ Sukhdev Sahani S/O Late Ganga Sahani R/O Village-
Ratnauli, P.S- Maniyari, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukund Mohan Jha, Advocate
For the State	:	Mr. Renu Kumari, APP
For the Informant	:	Mr. Sunil Kumar Pandey, Advocate

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

ORAL ORDER

4 23-01-2025 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the informant. Perused
the case diary.

2. The petitioner seeks bail in connection with S. Tr.
No. 485 of 2019 arising out of Maniyari P.S. Case No. 48 of
2013 instituted for the offence under Sections 302 & 34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, allegation against the
accused persons including the petitioner is of killing the uncle of
the informant.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 04-04-2024. Petitioner
bears one criminal antecedent, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is no specific allegation against the petitioner, rather specific allegation is against co-accused, Brahmanand Sahni. Police after completion of investigation, does not find any material against the petitioner and submitted final form against him, despite which, the court below differing with the final form has taken the cognizance against the petitioner. It is next submitted that similarly situated co-accused, namely, Parmanand Sahani has been granted bail by this Court *vide* order dated 19-07-2023, passed in Cr. Misc. No. 7832 of 2023.

6. Learned A.P.P. for the State as also learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that specific allegation against the petitioner is that he along with *Permanand Sahani* ordered to kill one *Sujeet*, who was absconding, upon which co-accused, *Brahamanand Sahni* opened fire which hit none.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no cogent material against the petitioner and cognizance being taken, this Court is inclined to grant bail to the petitioner.



8. 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 S. Tr. No. 485 of 2019 arising out of Maniyari P.S. Case No. 48 of 2013.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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