

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89006 of 2024

Arising Out of PS. Case No.-343 Year-2024 Thana- NAANPUR District- Sitamarhi

Chandrakishor Sah, S/O Late Ramjatan Sah, R/O Village- Satedh Mahisautha,
P.S- Bokhara, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 22-03-2025 Heard Mr. Ajay Kumar Thakur, learned counsel for
the petitioner and Mr. Arvind Kumar Pandey, learned APP for
the State.

2. The petitioner has prayed for bail in connection
with Nanpur P.S. Case No. 343 of 2024 registered for the
offence punishable under Sections 103 and 61(2) of the Bhartiya
Nyaya Sanhita, 2023.

3. The case of the prosecution is that the informant
got an information that his father has died when he has gone to
attend the call of nature. The dead body was found in a ditch.
The informant reached at village on 14.07.2024 and while he
was wandering in village, he came to know that on 13.07.2024,
Bechan Sahni was going towards the orchard with his father



who did not return in night and his dead body was found in the ditch in the orchard. It is further alleged that that the petitioner has threatened the father of the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It has further been submitted that for the same occurrence, one U.D. Case was also filed by the wife of the deceased. From perusal of the U.D. Case, it transpires that Fekni Devi, the wife of the deceased has given an information to the effect that on 14.07.2024 when she woke up she did not found her husband, she came to know that her husband has gone to ease himself at 4.30 A.M. in the orchard. After that, she indulged in household work. At 5.00 A.M., she came to know that the dead body of her husband was lying in a ditch. From perusal of the F.I.R., it is clear that the allegation is that the deceased was seen with Bechan Sahni in the night of 13.07.2024 and after that he did not return, but from perusal of the U.D. Case, it is clear that on 14.07.2024, the deceased was at his at home and he went to ease himself at 4.30 A.M. During investigation, the witnesses who have given their statements before the police, none of them are eye witness and they have stated that the daughter of



Chandra Kishore Sah is married but she is living at *maika*. The deceased and the daughter of the informant had developed relationship and due to that relationship, Chdnadra Kishore Sah has threatened the deceased and has warned him not to talk with his daughter. Nothing except this threatening is there against the petitioner. There is much contradiction in the two versions of the occurrence. Petitioner is languishing in judicial custody since 25.10.2024.

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 Sub-Divisional Judicial Magistrate, Sitamarhi in connection with Nanpur P.S. Case No. 343 of 2024.

(Ashok Kumar Pandey, J)

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