

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17725 of 2014

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1. Ganesh Sahni S/o Late Kasi Sahni Resident of Village Makdumpur, P.S.
+ District Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Nath Bishawas, Advocate

For the Opposite Party/s : Mr. Ashraf Ansari, Addl.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 29-05-2014

Heard learned counsel for the petitioner and learned
counsel for the State.

On the basis of fardbeyan of Chaukidar, the instant case has been registered under Sections 302 and 201/34 of the Indian Penal Code with allegation that Rudal Sahani has been killed by his family members and his dead body has been made traceless and further they have fled away from their houses. It is alleged that the deceased was demanding his share and for that dispute, he might have been killed.

Learned counsel for the petitioner seeks release of the petitioner placing his innocence, false implication and submitting that the petitioner is father of the deceased, the wife of the petitioner who has been also made accused with same allegation has been allowed pre-arrest bail vide Cr.Misc.No.

17666 of 2014 by another Bench of this Court by order dated 25.04.2014, the Chaukidar under conspiracy and in collusion of the real culprits got implicated the petitioner and his family members and it is not believable that the father will kill his son for demanding share and the petitioner having no criminal antecedent, suffering in custody since 21.01.2014.

Learned Addl.P.P. fairly submits that the case of the petitioner is similar to that of co-accused Ramni Devi who has been allowed pre-arrest bail.

In the facts and circumstances as stated above, petitioner Ganesh Sahni is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in Lakhisarai P.S.Case No. 426 of 2013, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

Tahir/-