

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35315 of 2014

Arising Out of PS.Case No. -51 Year- 2010 Thana -SITAMARHI District- SITAMARHI

1. Jatahu Sah S/o Late Ram Lakhan Sah, Resident of Village-Majorganj, at
Present- Mirchaipatti, P.S.- Majorganj, District- Sitamarhi

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.37607 of 2014

Arising Out of PS.Case No. -51 Year- 2010 Thana -SITAMARHI District- SITAMARHI

1. Sujay Kumar S/o Shri Om Prakash Prasad @ Om Prakash Prasad,
Resident of Village-Majorganj, at Present- Mirchaipatti, P.S.- Majorganj,
District- Sitamarhi

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.35315 of 2014 & Cr.Misc. No.37607 of 2014)

For the Petitioners : Mr. Ashhar Mustafa

For the Opposite Party : Mr. Nityananad(APP)

CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

2 20-02-2015 Petitioners in the two petitions are grand father and grand son, who apprehend their arrest in Sitamarhi P.S. Case No. 51/2010, instituted under sections 328 and 302/34 of the Indian Penal Code.

The deceased was a young student staying as a tenant in the house of the petitioner-Jatahu Sah. He was found dead by consuming poison. It is alleged by the informant, who is father of the deceased, that he has suspicion that it were the petitioners, who

had poisoned his son. The Police, after investigation, did not find any material to justify the accusation, but the Magistrate nevertheless differing with the Police report has taken cognizance for the offences as aforementioned against the petitioners.

Be that as it may, in the event of arrest or surrender within a period of four weeks from today, the two petitioners, namely, Md. Jatahu Sah (Cr.Misc. No. 35315/2014) and Sanjay Kumar (Cr. Misc. No. 37607 of 2014) are directed to be admitted to bail on executing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Sitamarhi P.S. Case No. 51/2010, subject to the conditions as embodied in section 438(2) of the Code of Criminal Procedure.

(Navaniti Prasad Singh, J)

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