

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25253 of 2016

Arising Out of PS.Case No. -267 Year- 2014 Thana -SAHEBPUR KAMAL District- BEGUSARAI

1. Raja Sah

2. Ganesh Sah

Both S/o Bhaku Sah, Resident of Village - Sanha Bakhadda, P.S. -
Sahebpur Kamal, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Abhoy Kumar Kashyap, Advocate.

For the Opposite Party/s : Mr. Anuradha Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 30-11-2016

Heard both sides.

The petitioners, namely, Raja Sah and Ganesh Sah seek bail in S. Tr. No. 576/15 arising out of Sahebpur Kamal P.S. Case No. 267/14 registered under Section 302 and other sections of the Indian Penal Code and Sections 25(1-b)a, 26, 27, 35 of the Arms Act.

Informant Sulekha Devi alleged that Shankar Sah, Parshuram Sah and Savitri Devi dragged her husband from a bicycle and took him inside the house. Thereafter all the accused persons, namely, Vikki Sah, Rana Sah, Ganesh Sah (petitioner no. 2), Raja Sah (petitioner no. 1), Mukesh Sah, Bhaku Sah, Champa Devi, Chanda Devi and Shobha Devi assaulted her husband and took her his eyes.

Learned counsel for the petitioners submits that the



petitioners are not the persons who dragged Ram Dayal Sah (the husband of the informant) inside the house. Parshuram Sah and Savitri Devi, who dragged the husband of the informant and took him inside the house, have already been enlarged on bail by different benches of this Court. Shankar Sah has been granted bail by the learned Sessions Judge on the ground that similarly situated accused persons were granted bail by the High Court. Earlier the prayer for bail of the petitioners was rejected with a direction to the trial court to conclude the trial within one year but from perusal of the report of the trial court it appears that the learned 7th Additional Sessions Judge, Begusarai examined only three witnesses till date. The petitioners are in jail since 08.03.2015

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri S.K. Singh, 7th Additional Sessions Judge, Begusarai in S. Tr. No. 576/15, arising out of Sahebpur Kamal P.S. Case No. 267 of 2014 (G.R. No. 4391/14).

(Prabhat Kumar Jha, J)

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