

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11773 of 2016

Arising Out of PS.Case No. -727 Year- 2015 Thana -BANKA District- BANKA

1. Rohit Sah son of Chhattu Sah resident of village - Khaira, P.S. Amarpur,
District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Ganesh Pd.Singh(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 21-06-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under section 302/34 of the I.P.C

Allegedly, Arvind Sah, the son of the informant, was
found lying dead and it is suspected that Matuki Sah and others
including the petitioner have killed him and further sprinkled acid
on him.

Submission is of false implication and that the
informant is not an eye witness, none has seen the actual killing of
the deceased, the petitioner has got no concern with the family of
Matuki Sah who had given threatening to the informant's
daughter-in-law, the father of the petitioner, namely, Chhattu Sah

@ Chhotu Sah has already been allowed bail vide Cr. Misc. No. 12419 of 2016 and further the brother of the petitioner, namely, Dharmendra Sah has been allowed pre-arrest bail vide Cr. Misc. No. 9182 of 2016 by another co-ordinate Benches of this Court and as such the petitioner also deserves sympathetic consideration as he is suffering in custody since 17.01.2016 having no criminal antecedent.

The learned A.P.P. fairly submits that father and brother of the petitioner have already been allowed bail.

In the facts and circumstances as stated above, the petitioner is also directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Banka in Banka P.S. Case No. 727 of 2015, subject to the conditions that one of the bailors must be a 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)

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