

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17225 of 2016

Arising Out of PS.Case No. -238 Year- 2014 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. Mahip Sah Son of Pramod Sah
2. Radheshyam Sah Son of Sri Gopal Sah Both residents of Village-
Mahanaganni, P.S Bettiah Moffasil, District West Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party : Mr. Rajesh Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-09-2016 Heard both sides.

The petitioners seek bail in Bettiah Muffasil P.S. Case No. 238 of 2014, corresponding to Sessions Trial No. 182 of 2015, registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code.

The informant alleged that Subhash Sah had borrowed Rs. 20,000/- from him on a promise to return the same within two months but he did not return the money. When the informant sent his son Nippu Kumar to take money from Subhash Sah, the petitioners along with other accused persons brutally assaulted his son and threw him at his doorstep.

It is submitted that the deceased had entered into the

house of the petitioners with intention to outrage the modesty of wife of Subhash Sah and that is why the villagers assaulted the son of the informant.

Prayer for bail of the petitioners was rejected vide order dated 03.02.2015 passed in Cr. Misc. No. 418 of 2015 with a direction to the trial court to conclude the trial within one year but the trial has not yet been concluded even after lapse of more than 1 ½ years. The petitioners are in jail since 19.09.2014 and they have already remained in jail for about two years and there is omnibus allegation against the petitioners and others that they assaulted the deceased who died on account of shock and hemorrhage due to the injuries found on the dead body.

Considering the facts aforesaid, the petitioners above named are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge, West Champaran, Bettiah in Bettiah Muffasil P.S. Case No. 238 of 2014, corresponding to Sessions Trial No. 182 of 2015.

(Prabhat Kumar Jha, J.)

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