

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55271 of 2015**

Arising Out of PS.Case No. -56 Year- 2014 Thana -MARKAHI District- KHAGARIA

- =====
1. Jagdish Sada, son of Ram Kisun Sada.
  2. Gongu Sada alias Gongo Sada, son of Tilo Sada.  
Both resident of Village- Kolbara, P.S. Morkahi, District- Khagaria.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**  
**ORAL ORDER**

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3      10-02-2016                      Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in connection with Morkahi P.S. Case No.56 of 2014/G.R. No.1344 of 2014 registered under Sections 302/34 of the Indian Penal Code besides Section 27 of the Arms Act.

The accusation is that 23 persons, named in the F.I.R., including the petitioners surrounded Naresh Sah, the nephew of the informant, Jagat Sah, who had gone to Kalwara River with his buffalo, and made indiscriminate firing at him due to which he died on the spot. The cause of occurrence is said to be caste's rivalry.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. that the informant is not an eye witness to the occurrence. While there is allegation in the F.I.R. against 23 persons including the petitioners of making firing at the deceased but only three entry and three exit wounds caused by firearms whereas one lacerated wound caused by hard and blunt substance were found on the person of the deceased. The petitioners are in jail custody since 04.07.2014.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the SDJM, Khagaria, in connection with Morkahi P.S. Case No.56 of 2014/G.R. No.1344 of 2014.

**(Rajendra Kumar Mishra, J)**

**P.S./-**

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