

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6439 of 2016

Arising Out of PS.Case No. -867 Year- 2012 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

Sanjay Sah @ Sanjay Yadav, Son of Ramdeo Yadav, resident of Village-
Telahua Bharti Tola, P.S. Nautan, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate.
For the Opposite Party : Mr. Jitendra Kr. Roy No.1 (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Bettiah
Town P.S. Case No. 867 of 2012 registered for the offences
punishable under Sections 328, 304 and 302/34 of the Indian Penal
Code.

The First Information Report is against unknown
with the allegation that the dead body of Shambhu Sah was found
lying in a drain near clinic of Dr. Sunil Kumar Chaudhary. During
investigation, the name of the petitioner transpired in the
confessional statement of co-accused Md. Meraj and Birjhan
Chaudhary and further the petitioner has also confessed his guilt.

The submission is of false implication and that there

is no legal and tangible material against the petitioner save and except extra judicial confession, the petitioner has been made victim of police atrocity, resulting he is suffering in custody since 06.08.2015 whereas Md. Meraj and Rajendra Patel have already been allowed bail.

Learned A.P.P. submits that the petitioner has got criminal antecedent.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No.867 of 2012, subject to conditions that one of the bailors must be 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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