

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6794 of 2016

Arising Out of PS.Case No. -105 Year- 2015 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

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1. Chhote Lal Sah
2. Bharat Sah Both sons of Heera Sah Both Resident of Village Salha
Bariyarwa, P.s Chautarwa District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Ajit Kumar(App)

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

2 01-03-2016 Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

Petitioners seek bail in connection with Chautarwa P.S.
Case No. 105 of 2015 registered for the offences punishable under
Sections 147, 148, 302 and 504 of the Indian Penal Code.

Allegedly, for filling the passage, dispute arose
between the parties then the F.I.R. named eight accused persons
including the petitioner came and on order of Heera Sah, all
accused persons assaulted to nephew of the informant with *lathi*
and rod and in the meantime, co-accused Rajesh Sah assaulted
with Handle of Hand-pump on the head of nephew of the
informant resulting he fell down with severe bleeding and during
treatment he died.

Submission is of false implication and that there is no specific allegation against the petitioners, specific allegation is against co-accused Rajesh Sah and in this case Heera Sah has already been allowed bail vide Cri. Misc. No. 42031 of 2015 and, as such, the petitioners also deserve sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above, the petitioners, above named, are also directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Bagha, West Champaran in connection with Chautarwa P.S. Case No. 105 of 2015 subject to the 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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