

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46392 of 2016

Arising Out of PS.Case No. -27 Year- 2016 Thana -TIYAR District- BHOJPUR

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Amir Chand Sah, Son of Late Bhikhari Sah, Resident of Village- Uttardaha,
P.S.- Tiar, District- Bhojpur at Ara (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar 2, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 05-12-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
26.06.2016 in connection with Tiar P.S. Case No. 27/16 for
offences punishable under Sections 302, 201, 34 of the Indian
Penal Code and under Section 27 of the Arms Act.

The prosecution case, as lodged by the informant,
is that due to partition dispute her husband Daya Shankar Sah was
killed by his brother Mantu Sah and others and all were
instrumental in disposing off his dead body.

It has been submitted by the learned counsel for
the petitioner that he is father of the deceased and father-in-law of
the informant and has committed no offence. He submits that the
allegation of firing is upon one Mantu Sah, petitioner is 80 years



of age and no overt act has been committed by him. He further submits that the only allegation upon him is of disposing off the dead body, which is false and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the charge-sheet has already been submitted and petitioner's release on bail would not adversely affect his trial, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Tiar P.S. Case No. 27/16.

(Nilu Agrawal, J.)

Rajesh/-

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