

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9572 of 2017

Arising Out of PS.Case No. -227 Year- 2016 Thana -BISFI District- MADHUBANI

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Shiv Kumar Sahu @ Shiv Kumar Sah, son of Mahendra Sah, Resident of
Village- Telhan, P.S.- Sadar, District- Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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with

Criminal Miscellaneous No.9577 of 2017

Arising Out of PS.Case No. -227 Year- 2016 Thana -BISFI District- MADHUBANI

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Ram Dayal Sah, son of Domu Sah, resident of Village- Nanaura, P.S.-
Kewati, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In both the cases)

For the Petitioner/s : Mr. Ajay Kr. Thakur with Mr. Pravin Kumar,
Advocates

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP
(In Cr.Misc. No.9577 of 2017)

For the Opposite Party/s : Mr. Anil Kumar,APP
(In Cr.Misc.No. 9572 of 2017)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-05-2017 Both the applications arise out of the same impugned

order and same P.S. case and they have been heard together and

are being disposed of by this common order.

Heard learned counsel for the petitioners in both the

cases.

Both the applications have been filed for grant of bail

to the petitioners in connection with Bisfi (Aunsi) P.S.Case No.

227 of 2016 registered for the offences punishable under Sections

364, 302 and 201/34 of the Indian Penal Code.



Petitioners are not named in the FIR and it appears that during course of investigation their names transpire.

It has been submitted on behalf of the petitioners that except suspicion there is nothing against the petitioners and there is inordinate delay in lodging FIR and for that there is no explanation. It has further been submitted that as per FIR the petitioners have confessed their guilt before Mukhiya about killing of deceased, however impugned order itself shows that Superintendent of Police had given some direction as dead body was not found up till now, hence he has doubted regarding murder of the deceased. It has also been argued that petitioners are in custody for six months.

Heard learned APP also, who have opposed the prayer for bail stating that both the petitioners have confessed their guilt before the Mukhiya and in the case diary witnesses have supported the prosecution case.

Having heard both sides and considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Prayer for bail of both the petitioners is rejected.

(Vinod Kumar Sinha, J)

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