

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20616 of 2017

Arising Out of PS.Case No. -2088 Year- 2011 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Suresh Sah, Son of Paras Sah.
 2. Om Prakash Paswan, Son of Neer Paswan.
 3. Paras Sah, Son of Late Raghunath Sah.
 4. Rajendra Sah, Son of Late Raghunath Sah.
 5. Nagendra Sah @ Nagend Sah, Son of Late Mangal Sah.
 6. Dhanraj Sah @ Dhananjay Sah, Son of Late Sahdeo Sah.

All are Resident of Village- Sukhlahi, Police Station- Mainatand, District-
West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Maheshwar Sah, Son of Late Jagarnath Sah, Resident of Village-
Sukhlahi, Police Station- Mainatand, District- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate.
For the State : Mr. Jitendra Kumar Singh, APP
For the O.P. No. 2 : Mr. Ashok Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 13-06-2017 Heard learned counsels for the petitioners and the

State.

The petitioners apprehend their arrest in connection
with Trial No. 2377 of 2017 arising out of Complaint Case No.
2088C of 2011 instituted under Sections 302/34 of the Indian
Penal Code.

The allegation, in brief, is that daughter of the
complainant went to ease early in the morning, but did not return



back. Next day, the dead body was found hanging on a Peeple tree near canal of the village. Suspicion is raised against the accused persons, as the petitioner nos. 1 and 2 had teased the victim six months back.

Learned counsel for the petitioners submits that before lodging of the present case, father of the deceased girl had lodged an U.D.Case No. 01 of 2011 before the police specifically stating that previous evening, he had scolded his daughter for some family dispute and she went away early in the morning and committed suicide, but no suspicion was raised against anyone. Subsequently, after lapse of five days present complaint case was filed merely raising suspicion against the petitioners though the petitioners have no any motive to kill. It is also submitted that the learned Magistrate, after conclusion of enquiry, did not find the case true against the petitioners but by order dated 17.06.2016 passed by the learned Sessions Judge, West Champaran, Bettiah in Cr. Revision No. 254 of 2015, the said order was set aside.

Having considered the aforesaid facts and circumstances, let the petitioners, namely, Suresh Sah, Om Prakash Paswan, paras Sah, Rajendra Sah, Nagendra Sah @ Nagend Sah and Dhanraj Sah @ Dhananjay Sah, in the event of arrest or surrender before the court below within four weeks from



today, be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Trial No. 2377 of 2017 arising out of Complaint Case No. 2088C of 2011; subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Arun Kumar, J)

Sujit/-

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