

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.37770 of 2017**

Arising Out of PS.Case No. -15 Year- 2017 Thana -FALKAHA District- KATIHAR

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Basudeo Sah Son of Late Fuchi Sah, R/o Chhapanna, P.S.- Falka, District-  
Katihar.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2 10-08-2017

Heard the learned counsel for the petitioner.

The petitioner seeks regular bail in connection with  
Falka P.S. Case No. 15 of 2017, registered for the offence  
punishable under Sections 302 and 201 of the Indian Penal Code.

The allegation of informant Sudha Shankar Gupta is  
that in the night of 29.01.2016, his niece, namely, Rajeshwari  
Gupta gave information to him about non returning of her father.  
On the next day in the morning, his niece further informed about  
throwing of her father along with his motorcycle near N.H. 77 at  
Kabhu tola. Thereafter, he went there and came to know that his  
brother Durga Shankar Gupta has been killed and his dead body  
was thrown along with motorcycle on the road. In course of  
search, he came to know that murder of his brother was committed  
in the maize field of Basudeo Sah and Fekan Sah (Petitioner),



where blood stains and sign of pulling of dead body was found.

The learned counsel for the petitioner submits that on account of land dispute between the deceased and the accused persons, the petitioner has been falsely implicated in the present case. It is further submitted that though it has been alleged in the F.I.R. that blood stains and sign of pulling the dead body was found in the field of petitioner and one Basudeo Sah, but in paragraph 6 of the case diary, it has been stated that the said land belongs to one Raj Kumar Hansa. It is further submitted that similarly situated co-accused has already been granted anticipatory bail by this Court on 21.7.2017 passed in Cr. Misc. No. 18210 of 2017.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar in connection with Falka P.S. Case No. 15 of 2017.

**(Mohit Kumar Shah, J)**

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