

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24548 of 2017

Arising Out of PS.Case No. -105 Year- 2016 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Ramnath
2. Jagarnath Sah
3. Shankar Sah All sons of Late Babunand Sah
4. Ravi Sah Son of Jagarnath Sah,
5. Kamal Jaiswal Son of Babunand Jaiswal,
6. Ainul Mian Son of Late Ali Mohamad All Resident of Village-
Ghorasahan, P.S.- Ghorasahan, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Smt. Asha Kumari, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER**

4 28-08-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Ghorasahan P. S. Case No. 105 of 2016, G.R. Case No. 289 of
2016 for the offences punishable under Sections 302, 201/34 of
the Indian penal Code.

The accusation is that Naresh Kumar, Ramesh Sah,
Baiju Sah and unknown persons came at the house of the
informant and on the pretext of Holi festival, the son of the



informant was accompanied and administered liquor, he was killed by pressing neck. The cause of occurrence is that son of the informant had given the fish to Ramesh Sah but he refused to give the price of fish due to that reason he was murder by throttling.

Learned counsel for the petitioners submits that there was inordinate delay of 23 days in lodging the FIR, as occurrence is of 23.03.2016 and F.I.R. is lodged on 15.04.2016. Further submission is that after death of son of the informant, funeral was performed and after more than 23 days, the present case was lodged against three named accused but during investigation, the name of petitioners came with allegation of insisting for disposal of dead body.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by him within four weeks from today, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten thousand)each with two sureties of the like amount each to the satisfaction of the learned Sub- Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran in Ghorasahan P. S. Case No. 105 of 2016, G.R. Case No. 289 of 2016, subject to the conditions laid down under Section 438 (2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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