

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21768 of 2017

Arising Out of PS.Case No. -701 Year- 2016 Thana -FORBESGANJ District- ARRARIA

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1. Abdhesh Sah, S/o Rameshwar Sah, Resident of Jogbani P.S.- Jogbani,
District- Araria, Permanent Resident of Jahagir Tola, P.S.- Kamtoul,
District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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with

Criminal Miscellaneous No.21320 of 2017

Arising Out of PS.Case No. -701 Year- 2016 Thana -FORBESGANJ District- ARRARIA

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1. Ravi Kumar Sah S/o Ram Bilash Sah Resident of Jogbani P.S. Jogbani,
District - Araria, Permanent resident of Jahagir Tola, P.S. - Kamtoul,
District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.21768 of 2017)

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Sri Khurshid Anwar

(In Cr.Misc. No.21320 of 2017)

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 14-06-2017 Heard learned counsel for the petitioners and

learned counsel for the State.

The instant petition has been filed for grant of

regular bail in connection with Farbesganj (Simraha) PS case no.



701 of 2017 registered for the offences punishable under Sections 302, 201/34 of Indian Penal Code.

The brief case, according to prosecution, is that informant namely Ram Iqbal Yadav is said to have taken dinner along with his son Ajay Kr. Yadav in the night of 29.12.2016 and had gone to sleep with his grandfather at their residence, however, on the next day morning, the said Ajay Kr. Yadav was not found and whenever a search was made, his dead body with beheaded head was found near the canal. Other allegation leveled in the FIR is that the accused persons including the petitioners herein had conspired and were instrumental in killing the son of the informant.

Learned counsel for the petitioners submit that both the petitioners have no criminal antecedents and they are in custody since 01.01.2017. He further submits that the investigation is completed and charge-sheet filed. The further case of the petitioners is that similarly situated co-accused persons namely Parsuram Sah and Upendra Sah have already been allowed regular bail by this Hon'ble Court vide order dated 01.06.2017 and 03.05.2017 passed in Cr.Misc. no.21835 of 2017 and 21414 of 2017 respectively.



Having regard to the facts and circumstances of the case and the fact that the petitioners have no criminal antecedents and investigation is completed, these petitioners are no longer required to be kept under custody.

Accordingly, the abovenamed petitioners are enlarged on regular bail especially on account of their parity with co-accused who have already been granted bail by this Hon'ble Court on furnishing bail bond of Rs. 20,000/- (Rs. Twenty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Araria in connection with Farbesganj (Simraha) PS case no. 701 of 2017.

(Mohit Kumar Shah, J.)

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