

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34672 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -AKHODHIGOLA District- SASARAM
(ROHTAS)

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1. Ranjan Sah @ Ranjan Son of Late Lalan Sah, R/o Village+P.O.-
Gamharia, P.S.- Akorhigola, District- Rohtas. Petitioner/s
Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Shankar Choubey

For the Opposite Party/s : Mr. Md. Arif

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 20-11-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner is languishing in judicial custody since
30.03.2017 in connection with Akorhigola P.S. Case No. 11 of
2017 for offences punishable under Section 302/34 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that his son Anandi Paswan was taken away by the petitioner
along with Gorakh Ansari @ Dilshad Ansari to watch a dance
show in a motorcycle but did not return. Thereafter, the dead body
of the informant's son and Gorakh Ansari @ Dilshad Ansari were
found dead near the canal bridge and motorcycle was found lying
there.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in this case only on the basis of suspicion. He submits that although the petitioner had gone along with two deceased but he was on a separate motorcycle and that final form has been submitted, in which it has been found that it was the mistake of fact and that it was a motorcycle accident and the post-mortem report also suggests number of abrasions on the body of the two deceased. He submits that final form has already been submitted in which, the case has not been found true against the petitioner and M.V.I Report has come, which has been stated in the final form, that it was a motorcycle accident.

However, learned counsel for the informant opposes the prayer for bail stating therein that in the post-mortem report there is no sign of water content in the body but it has been stated that the two deceased died due to asphyxia and drowning.

In this connection a viscera report has been called for in which poison was not found.

Learned APP also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on



bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Dehri, Rohtas at Sasaram, in connection with Akorhigola P.S. Case No. 11 of 2017 subject to the condition that one of the bailors would be a close relative of the petitioner.

(Nilu Agrawal, J)

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