

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14911 of 2017

Arising Out of PS.Case No. -176 Year- 2015 Thana -RAHIKA District- MADHUBANI

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1. Rajesh Sah, Son of Ramashish Sah, residence of Village- Laheriaganj,
P.S. Nagar, Distt.- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Narayan Mahto

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 04-07-2017 Heard both sides.

The petitioner seeks bail in Rahika P.S. case No. 176
of 2015 under Section 302, 307 and other Sections of the Indian
Penal Code.

The informant alleged that when he along with his
friend, Ankit Ranjan, was sleeping in the room, at about 11.30 in
the night, Mahesh Mahto, Harikishun Sah, Sunil Sah, Mangal Sah
and Rajesh Sah, the petitioner, forcibly entered into the house,
after breaking the door, having armed with different weapons. The
accused persons put down Ankit Ranjan on the cot and
strangled him to death. When the informant objected, the
accused persons also assaulted him.

The learned counsel for the petitioner submits that



there is no specific allegation of assault against the petitioner. Similarly situated accused Harikishun Sah, Mangal Sah and Mahesh Mahto have already been granted bail by different benches of this court. The case of petitioner stands on the same footing but from perusal of the FIR as well as the case diary, it appears that all the five accused persons forcibly entered into the house and strangled Ankit Ranjan to death. The prayer for bail of Sunil Sah has already been rejected by this court.

Considering the fact that petitioner also actively participated in the killing of Ankit Ranjan, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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