

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4701 of 2018

Arising Out of PS. Case No.-257 Year-2017 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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1. Laxmi Sah @ Laxmi Narayan Sah, S/o Late Moti Lal Sah,
 2. Raj Kumar Sah @ Munna Sah @ Raj Kumar S/o Laxmi Sah, Both
are R/o Village- Alinagar, Sundarpur, Ward No.1, P.S.- L.N.M.U.
, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-02-2018 Heard learned counsel for the petitioners and the
State.

The petitioners apprehend arrest in L.N.M.U. P.S.
Case No. 257 of 2017 instituted for the offence under Sections
302,201,120(B) of the IPC.

Learned counsel for the petitioners has submitted that
besides suspicion, there is no allegation of overt act against
these petitioners. It is alleged in the written report that a day
prior to lodging the FIR, the son of the informant had gone out
of the house along with three other persons which was seen by
his daughter and did not return back. Thereafter, the informant
was informed that the dead body of his son was lying in the



Jethiyahi orchard. The informant has raised suspicion that about 10-12 days prior to death of the son of the informant, some disputes had taken place between the deceased and one Raj Kishore@ Kari, who had assaulted his son (since deceased). The informant raised another suspicion for causing murder of his son that there was a quarrel with Laxmi Sah and Mithu Sah, in which his son assaulted them, thereafter, Mithu Sah and Raj Kumar Sah had come to the house of the informant and threatened to dire consequences.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with L.N.M.U. P.S. Case No. 257 of 2017 to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every dated fixed by the court and



absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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