

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23786 of 2018

Arising Out of PS.Case No. -16 Year- 2018 Thana -BELSAND District- SITAMARHI

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Prahlad Sah, son of late Raghunandan Sah, resident of village & P.O. Belsand, Ward No. 8, P.S. Belsand, District-Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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With

Criminal Miscellaneous No.33330 of 2018

Arising Out of PS.Case No. -16 Year- 2018 Thana -BELSAND District- SITAMARHI

- =====
1. Shankar Sah, S/o Prahlad Sah,
 2. Niraj Kumar, S/o Shankar Sah,
 3. Golu Kumar @ Sunny Rishav, S/o Ramji Sah,
 4. Saloni Kumari, D/o Ramji Sah,
 5. Amit Kumar, S/o Shankar Sah, all residents of village & P.O.- Belsand, Ward No. 8, P.S.- Belsand, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.23786 of 2018)

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

For the Informant : Mr. Alok Kumar Jha, Advocate

(In Cr.Misc. No.33330 of 2018)

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3/ 18-06-2018

Both the applications are taken up together as they

arise out of the same P.S. case number.

Heard learned counsel for the petitioners and learned



APP for the State as well as counsel for the Informant.

Petitioners apprehend their arrest in **Belsand P.S. Case No.16 of 2018** instituted for the offence under Section(s) 302, 120-B Indian Penal Code.

Counsel for the petitioners submits that there is no eye witness in this case. Name of these petitioners have come merely on suspicion.

Counsel for the informant has submitted that there was love affair between deceased and daughter of one Ramji Sah.

Case diary has been received. Learned APP has submitted that besides suspicion there is no specific overt act against the petitioners.

In the written report, it is alleged that the informant learnt that his nephew has been hanged to death with a tree by these accused persons.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Belsand P.S. Case No.16 of 2018**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the



Additional Chief Judicial Magistrate-I, Sitamarhi, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) 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 date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds and (3) if petitioners tamper 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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