

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34704 of 2018

Arising Out of PS. Case No.-23 Year-2018 Thana- SALKHUA District- Saharsa

Raj Kumar Sah, S/o- Dahu Sah, R/o- Gorgama, P.S.- Salkhua, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 01-08-2018 Heard learned counsels for the petitioner and the State as well as learned counsel for the informant.

The petitioner, already in custody, seeks bail in connection with Salkhua P.S.Case No. 23 of 2018 registered under Sections 302 and 120B/34 of the Indian penal Code.

Accusation against the petitioner is that on account of previous enmity, he shot at the informant's brother causing his death and when informant reached at the place of occurrence found the accused persons running away and one Bijay Sah was caught by the persons present there.

Submission is that informant is not the eye witness of the occurrence of killing his brother and the same is reflected from his statement made during investigation, he saw only 3-4 persons running away including the petitioner and one Bijay Sah was apprehended at the spot just after the deceased was shot



at and investigation has been completed in this case.

Whereas learned counsel appearing on behalf of the informant submits that there is specific accusation against the petitioner made by the informant and he has also one criminal antecedent.

Having considered the aforesaid facts and circumstances and the nature of evidence against the petitioner, namely, Raj Kumar Sah, is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Saharsa in connection with Salkhua P.S. Case No. 23 of 2018.

(Arun Kumar, J)

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