

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34904 of 2018

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

Sarvan Sah @ Sarvan Kumar Sah, Son of Upendra Sah Resident of Village -
Gorgama, P.S. Salkhua Dist Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

Criminal Miscellaneous No. 34508 of 2018

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

Rajesh Sah, Son of Upendra Sah, Resident of Village- Gorgama, P.S.-
Salkhua, Dist- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

Criminal Miscellaneous No. 36003 of 2018

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

Lallu Sah @ Lalu Sah, Son of Bhuto Sah Resident of Village- Gorgama P.S.
Salkhua, Distt. Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

Criminal Miscellaneous No. 40566 of 2018

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

Vijay Sah, Son of Shibu Sah, resident of Village- Mubarakpur, P.S.- Salkhua
& District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In Criminal Miscellaneous No. 34904 of 2018)

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Sri Binod Kumar 3

(In Criminal Miscellaneous No. 34508 of 2018)

For the Petitioner/s : Mr. Chandra Mohan Jha



For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh
(In Criminal Miscellaneous No. 36003 of 2018)
For the Petitioner/s : Mr. Chandra Mohan Jha
For the Opposite Party/s : Mr. Sri Binod Kumar 3
(In Criminal Miscellaneous No. 40566 of 2018)
For the Petitioner/s : Mr. Om Prakash Singh
For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 18-07-2018 As all the above mentioned bail applications are arising out of same Police Case hence, they are being disposed of by this common order.

Heard learned counsels for the petitioners and the State as well as learned counsel for the informant.

The petitioners, already in custody, seek bail in connection with Salkkhua P.S.Case No. 23 of 2018 registered under Sections 302 and 120B/34 of the Indian penal Code and 27 of the Arms Act.

Allegation in brief is that in the night, informant's brother was called by Rajesh Sah and Raj Kumar and went for fishing in the pond. It is alleged that all accused persons after entering into conspiracy reached there and Raj Kumar Sah shot at him causing his death.

Submission is that there is no allegation against these petitioners regarding shooting at the deceased, Rajesh Sah had called him for fishing and the informant is not an eye witness rather one Md. Kalim was with the deceased at the pond and



according to his statement, the deceased and Rajesh Sah were engaged in the business of selling fish and there were several persons engaged in fishing there but he has not stated that who shot at the deceased causing his death and petitioners have no criminal antecedent.

Whereas learned counsel for the informant opposed the prayer of bail and submits that there is specific accusation in the FIR against Raj Kumar Sah regarding killing the deceased.

Having considered the aforesaid facts and circumstances, the petitioners named above, are directed to be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned ACJM 2nd, Saharsa in connection with Salkhua P.S. Case No. 23 of 2018.

(Arun Kumar, J)

sujit/-

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