

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36816 of 2018**

Arising Out of PS.Case No. -32 Year- 2001 Thana -LAUKHA District- MADHUBANI

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1. Sita Ram Sah Son of Late Kari Sah, resident of Village- Parsahi, P.S. Khutauna, District- Madhubani.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**  
**ORAL ORDER**

4      18-07-2018                      Heard both sides.

The petitioner apprehends his arrest in Lokaha (Khutauna) P.S. Case No.32 of 2001 registered under Sections 302, 436 and other minor Sections of the Indian Penal Code.

The learned counsel for the petitioner submits that the prayer for anticipatory bail of the petitioner was earlier dismissed for non-prosecution vide order passed in Cr. Misc. No.41420 of 2016. The petitioner filed restoration petition vide Cr. Misc. No.48977 of 2017 but the same was dismissed with liberty to file fresh petition for anticipatory bail and thereafter the petitioner filed the present petition. It is further submitted that the informant named the petitioner along with other accused persons and alleged that the petitioner caught the elder brother of the informant and



Dhanraj Sah and others assaulted. The accused persons are also alleged to have set ablaze the residential house of the informant in which the mother of the informant got burn injury and died. The learned counsel for the petitioner submits that the police after investigation submitted final form finding the accusation against the petitioner false and submitted chargesheet against the informant and others. It is further submitted that other accused persons namely Prem Lal Sah, Amiree Lal Sah, Dilip Sah, Ram Babu Sah and Bikram Sah have already been granted anticipatory bail vide order dated 14.07.2016 passed in Cr. Misc. No.24555 of 2016. The case of the petitioner stands on the same footing.

Taking into consideration the facts that the police after investigation submitted final form finding the accusation false against the petitioner and similarly situated other accused persons have been granted anticipatory bail vide order dated 14.07.2016 passed in Cr. Misc. No.24555 of 2016, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Madhubani in connection with Lokaha(Khutauna) P.S.



Case No.32 of 2001, subject to conditions as laid down under  
Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

Saurabh/-

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