

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7332 of 2019

Arising Out of PS. Case No.-307 Year-2018 Thana- DUMRA District- Sitamarhi

Santosh @ Akash Sah, age 21 years, Gender, Male, Son of Naresh Sah R/o
village- Bathnaha Purvi Tola, P.S- Bathnaha, District, Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar
For the Opposite Party/s : Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 25-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Dumra P.S. Case No. **307/18**
registered for the offence punishable under Sections 302/34 of
the Indian Penal Code.

Allegation is committing murder of son of informant
by three unknown miscreants. Informant has suspected that
Santosh Sah and Shambhu Sah, S/o Rambrick Sah who had
business rivalry with deceased have conspired to kill him.



It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case only on suspicion as the name of petitioner is Santosh @ Akash Sah. It has further been submitted that specific allegation is against Shambhu Sah and Santoh Sah and not against the petitioner. Similarly placed co-accused Raushan Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dated 13.02.2019 passed in Cr. Misc. No.8090 of 2019. Petitioner has been remanded in this case on 26.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Sitamarhi in connection with Dumra P.S. Case No. **307/18**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner 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 petitioner.

(S. Kumar, J)

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