

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17595 of 2019

Arising Out of PS. Case No.-257 Year-2018 Thana- BIRAUL District- Darbhanga

UPENDRA SAH Son of Pachkauri Sah Resident of Village- Hansi, P.S.-
Biraul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Thakur
Mr. Ritwaj Raman.
For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-03-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Biraul P.S. Case No.
257/2018, instituted for offence under Section(s) 302 of the
Indian Penal Code read with Section 27 of Arms Act.

It is alleged in the written report that on the date of
occurrence son of informant was sleeping on Chauki in the hut
in front of his house then some unknown persons came on
motorcycle and shot fire on the head of son of informant,
namely, Jhattan Sah and fled away. Thereafter son of informant
was brought to hospital and subsequently died.

Learned counsel for the petitioner has submitted that
petitioner is not named in the written report. The informant in



his further statement has also not taken name of this petitioner.
Name of this petitioner has been taken by the wife of deceased.
She has alleged that about one month ago there was quarrel
between her husband and the petitioner.

From the F.I.R. it appears that wife of deceased is not
eye-witness to the occurrence. It further appears that occurrence
is alleged to have taken place on 23.10.2018 and F.I.R. has been
lodged on 26.10.2018. At the time of lodging of F.I.R. wife of
deceased had not taken name of this petitioner.

Petitioner is in custody since 26.10.2018.

Considering the aforesaid facts and circumstances,
prayer of the petitioner for grant of bail is allowed. Let the
petitioner, above named, be released on bail on furnishing bail
bond of Rs. 10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of the learned **Additional Chief
Judicial Magistrate, Biraul, Darbhanga**, in connection with
Biraul P.S. Case No. 257/2018, subject to the conditions that
both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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