

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76845 of 2018

Arising Out of PS. Case No.-211 Year-2018 Thana- BIHARIGANJ District- Madhepura

1. Anil Sah Son of Sudhir Sah,
2. Gulsan Sah, Son of Anil Sah,
3. Shaktidhar Sah, Son of Sudhir Sah,
4. Bikki Sah, Son of Sudhir Sah, All are resident of Village- Bhawanipur Sudama Nagar, P.S.- Bhawanipur, District- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Kumar Singh
For the Opposite Party/s : Mr.Sri Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 15-03-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 302, 120(B)/34 of the Indian Penal Code registered in connection with Bihjariganj P.S. Case No. 211 of 2018.

3. It is submitted that the petitioners have been falsely implicated on mere suspicion arising from the fact that the informant had solemnized inter-caste marriage with the deceased which was not approved of by her family. The petitioners have been implicated on mere suspicion, except which there is no other material to connect the petitioner with



the alleged occurrence. The petitioners are merely co-villagers of the informant and had no role to play in the alleged occurrence. The stand on a better footing than co-accused Santosh Kumar Sah @ Santosh Sah and Deoki Devi who are family members of the informant have been granted anticipatory bail by this Court in Cr. Misc. No. 1585 of 2019. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Sri Abhimanyu Kumar, learned Judicial Magistrate 1st Class, Udakishunganj Bihariganj, Madhepura, in connection with Bihariganj P.S. Case No. 211 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.



(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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