

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40490 of 2019

Arising Out of PS. Case No.-175 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

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1. Deepak Sah aged about 25 years, Male, Son of late Ram Chandra Sah Resident of Village - Allalpatti, P.S.- Lahariya sarai. (Benta O.P), Dsit.- Darbhanga.
 2. Lallan Sah, aged about 40 years, Male, Son of Late Ram Chandra Sah Resident of Village - Lahariya Sarai (Benta Op), Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar Sinha
For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 12-09-2019 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

The petitioners who are in custody since 10.05.2019 have filed the instant application for grant of bail in connection with Lahariya Sarai P.S. Case No. 175 of 2019 registered for the offence punishable under sections 302 and 120B of the Indian Penal Code.

As per the allegation in the FIR, the accused persons including these petitioners are said to have caught hold of the son of the informant and one Sonu Kumar is said to have given repeated dagger blows, as a result of which the informant's son



died before reaching the hospital. As per learned counsel for the petitioners they were falsely implicated only for the reason that they are brothers of the alleged assailant Sonu Kumar. These petitioners are in custody since 10.5.2019. No specific overt act has been alleged against them. Similarly situated co-accused namely, Jai Prakash @Mallu has been enlarged on bail vide order dated 21.08.2019 passed in Cr.Misc. No.51487 of 2019.

It is submitted by learned counsel for the informant that from the pleadings of the F.I.R. itself it would transpire that the petitioners have actively participated in the crime leading to the death of the son of the informant and the case against the petitioners have been supported by the witnesses in course of investigation.

The application for bail was opposed by learned APP for the State and learned counsel for the informant.

Having heard learned counsel for the parties and taking into consideration the fact that the similarly situated co-accused has been enlarged on bail and the petitioners are in custody since 10.05.2019, let the petitioners above named be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Chief Judicial
Magistrate, Darbhanga in connection with Lahariya Sarai P.S.
Case No. 175 of 2019.

(Partha Sarthy, J)

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