

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No 80976 of 2019**

Arising Out of PS. Case No.-427 Year-2017 Thana- DARBHANGA SADAR District-  
Darbhanga

=====

Bimal Kumar Sah Son of Late Chitnu Sah Resident of Village - Gaushaghat,  
P.S.- Sadar, Distt - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Girish Chandra Jha  
For the Opposite Party/s : Mr.Brajendra Nath Pandey

=====

**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD**

**ORAL ORDER**

**2      10-12-2019**                      Heard learned counsel for the petitioner and the  
learned APP for the State.

Petitioner apprehends arrest in a case registered under  
Sections 302, 201/34 of Indian Penal Code.

Learned counsel for the petitioner submits that the  
petitioner is not son of Raj Kumar Sah whereas first information  
report at best discloses allegation that Raj Kumar Sah, with aid  
of his son, has committed the offence.

Learned APP for the State has opposed the prayer and  
submitted that the offence of strangulation cannot be committed  
alone.

Considering the rival submissions and the fact that  
other co-accused, namely, Pawan Sah @ Pawan Kumar has



already been allowed anticipatory bail by this Court in Cr Misc No 79123 of 2018, this Court is inclined to grant anticipatory bail to the petitioner also.

Let the petitioner above named, in the event of his arrest or surrender, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Darbhanga in Sadar Police Station Case No 427 of 2017 subject to the conditions as laid down in Section 438 (2) of Criminal Procedure Code and also the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

**(Madhuresh Prasad, J)**

**M.E.H./-**

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

