

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73150 of 2018

Arising Out of PS. Case No.-877 Year-2018 Thana- AHIYAPUR District- Muzaffarpur

1. Sudhir Kumar @ Pappu Sah, S/o Rakatu Sah @ Raktu Sah @ Rakat Sah, Resident of Village- Jamalabad, P.S.- Ahiyapur, District- Muzaffarpur.
2. Arbind Rai, S/o Satyanarayan Rai, Resident of Village- Madaripur, P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-01-2019 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in Ahiyapur P.S. Case No. 877/2018, instituted for offences under Section(s) 302, 201/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that there is no eye-witness to the occurrence.

It is alleged in the written report that on the date of occurrence nephew of informant, namely, Sunil Sahni (deceased) had gone to Manav Seva Nursing Home, where he had taken food with these petitioners and other accused persons. Thereafter these petitioners and one Pappu Sah, who were owner of aforesaid nursing home, along with other accused persons took the nephew of informant in a four wheeler to some



unknown place and assaulted him with rod, fat and Mukka and committed his murder. It is further alleged that dead body was thrown near Asim Health Care and Trauma Centre on Akharaghat Road. Motive of occurrence is that nephew of informant used to run an ambulance. These petitioners along with other accused persons used to force him to bring patient. When he did not bring patient, the accused persons murdered him.

Learned counsel for the petitioners has submitted that besides suspicion, there is no allegation of specific overt act against these petitioners.

Petitioners are in custody since 21.08.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioners for grant of bail is allowed. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Muzaffarpur** in connection with **Ahiyapur P.S. Case No. 877/2018**, subject to the conditions that both the bailors shall be the close relative of the petitioners.

(Sanjay Priya, J)

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