

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9222 of 2020**

Arising Out of PS. Case No.-92 Year-2019 Thana- GHORASAHAN District- East
Champaran

HAJARILAL SAH @ HAJARILAL PRASAD Son of Ganesh Sah Resident
of Village - Kaswa Kadamawa, P.S.- Ghorasahan, East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh
For the Opposite Party/s : Mr.Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

5 03-06-2020

Heard learned counsel for the parties.

2.This application for regular bail arises out
of Ghorasahan P.S. Case No. 92 of 2019, disclosing
offences punishable under Sections 302,120B/34 of
the Indian Penal Code and Section 27 of the Arms Act.

On perusal of the First Information Report,
it transpires that there is specific allegation against
four persons, namely, Awadhesh Sah, Madan Sah,
Pradeep Sah and Suman Saurav, who shot dead the
brother of the informant, Shambhu Yadav and Siyaram
Mahto. So far as this petitioner is concerned, it is
alleged that he had acted as a liner, i.e., the person who
had given green signal, for commission of the offence



and was seen brandishing his fire arms after the occurrence.

Mr. Singh, learned counsel appearing on behalf of the petitioner has submitted that there is no allegation against the petitioner, which can be said to be constituting an offence punishable under Section 302 of the Indian Penal Code read with Section 34 of the IPC. He has further submitted that there is no material to suggest that the petitioner in any way conspired or connected in commission of the offence.

Case diary has been called for which is there on record.

I find substance in submission made on behalf of the petitioner that there is no material collected in course of investigation, which can be said to be connecting the petitioner with the offence of murder as alleged in the First Information Report. The petitioner is in custody since 14.11.2019.

Considering the facts and circumstances as noted above, this application 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 Sub-Divisional
Judicial Magistrate, Sikarhana at Dhaka, East
Champaran in Ghorasahan P.S. Case No. 92 of 2019.

(Chakradhari Sharan Singh, J)

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