

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29897 of 2020

Arising Out of PS. Case No.-13 Year-2020 Thana- KARAMCHAT District- Kaimur (Bhabua)

1. SURESH SAH Son of Guput Sah Resident of Village - Jhali, P.S. - Karamchat, District - Kaimur (Bhabua).
2. Ashok Sah Son of Guptu Sah Resident of Village - Jhali, P.S. - Karamchat, District - Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Sunil

For the Opposite Party/s : Mr. Choubey Jawahar, APP.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-11-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in a case for the offence registered under Sections 302, 34 of the Indian Penal Code.

Prosecution case in short is that the informant along with



the deceased and some others was sitting at his Dalan. It is alleged that his villagers Prince Kumar and Dilip Sah came and requested Anuj Kumar to go for watching Orchestra Programme. Thereafter, both Prince Kumar and Dilip Sah took Anuj Kumar with them. After 25-30 minutes, the informant having heard the sound of cry, came at the place of occurrence with torch and saw the accused persons having deadly weapons in their hands. It is further alleged that seeing the informant and others, the accused persons fled away. The deceased, Anuj Kumar was found lying there in injured condition. He was being taken to Varanasi Hospital for better treatment, where he died in the way.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. Charge sheet/Prosecution report in this case has already been submitted. The petitioners are in custody since 12-03-2020. The petitioners have been falsely implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners nor any specific injury is attributed against the petitioners.

On behalf of the State, it is submitted that the petitioners



are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, 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 learned Judicial Magistrate-Ist Class, Kaimur at Bhabua in connection with Karamchat P.S. Case No. 13 of 2020.

(Sudhir Singh, J)

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