

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74386 of 2019

Arising Out of PS. Case No.-108 Year-2019 Thana- DERNI BAZAR District- Saran

1. Lalu Sah @ Lalbabu Sah Son of Paras Sah Resident of Village - Firozpur, Panchrukhi, P.S. - Parsa, Dist.- Saran.
2. Wakil Sah Son of Paras Sah Resident of Village - Firozpur, Panchrukhi, P.S. - Parsa, Dist.- Saran.
3. Malik Sah Son of Paras Sah Resident of Village - Firozpur, Panchrukhi, P.S. - Parsa, Dist.- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3. 06-03-2020 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Derni P.S. Case No. 108 of 2019 registered for the offences punishable under Sections 302,201/34 of the Indian Penal Code.

The above stated Derni P.S.Case No. 108 of 2019 was registered on 18.06.2019 on the basis of written report given by local chowkidar when the dead body of an eight year old boy



was recovered. However, after registration of the case, father of the aforesaid deceased boy went to the police station and identified the dead body of his child and, thereafter, he gave written report to officer in-charge of Derni police station making allegation of killing his child against the petitioners and their other family members. He also disclosed that the son of petitioner no.1 took the deceased into his house and subsequently, the dead body of his son was recovered.

The perusal of the case diary goes to show that the deceased was missing since 17.06.2019 and his dead body was recovered on 18.06.2019 and between the aforesaid period, father of the deceased did not give any information to the police. Moreover, even if, the materials collected in course of investigation, assumed to be true, then also, there is nothing against the petitioners except of this fact that they are family members of co-accused Mandeep Sah.

Accordingly, let the above named petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XII, Saran



at Chapra in Derni P.S. Case No.108 of 2019 subject to
condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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