

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39117 of 2021**

Arising Out of PS. Case No.-248 Year-2020 Thana- LADANIA District- Madhubani

CHHEDI SAH S/O VILAT SAH R/O VILLAGE-MAHUA GODOWN TOL,
POLICE STATION-LADANIA, DISTRICT-MADHUBANI

... .. Petitioner/s

Versus

THE SATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar
For the Opposite Party/s : Mr.Ram Anurag Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 13-12-2021 Heard learned counsel for the petitioner, learned
A.P.P. for the State and Sri Shashi Dhar Jha, learned counsel for
the informant.

The petitioner seeks regular bail in connection with
Ladania P.S. Case No. 248/2020 registered under Sections 302,
34 of the Indian Penal Code read with Section 27 of the Arms
Act and Sections 3 & 4 of the Explosive Substances Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 04.12.2020, and is a person of
clean antecedent and charge-sheet has been submitted and
petitioner is the father of the deceased.

Learned counsel for the petitioner submits that from
perusal of the allegation as alleged in the F.I.R., it would
manifest that informant sister was married to one Rajiv Sah and



Rajiv Sah had land dispute with his brother Sanjay Sah. It is alleged that on account of land dispute between brothers, the occurrence had taken place. It is further alleged that the niece of the informant informed him that Fua and Fufa have been killed. Accordingly, the informant reached at the place of occurrence where he saw the dead body of the victim. Learned counsel for the petitioner submits that there is no eye witness to the occurrence as per the F.I.R., it was the niece of the informant who had informed that Fua and Fufa have been killed and as such even the niece (daughter of the brother of the informant) was also not an eye witness to the occurrence. Learned counsel further submits that the statement of the daughter of the deceased was recorded in which she has stated that it was Sanjay Sah, who killed her parents while this petitioner was standing in the courtyard alongwith his wife. Learned counsel further submits that petitioner is the mother of the deceased and it is difficult to believe that the mother would get her own son killed by another son for property. Learned counsel further submits that mother of the deceased namely Bina Devi had been granted bail by order dated 06.12.2021 in Cr. Misc. No. 35527 of 2021. Learned counsel for the informant as well as learned APP for the State opposes the prayer of regular bail application



of the petitioner.

Considering the fact that the petitioner is in custody since 04.12.2020, charge-sheet has been submitted in this case and the petitioner, is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of G.P. Gupta, Madhubani in connection with Ladania P.S. Case No. 248/2020.

(Satyavrat Verma, J)

Ranjeet/-

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