

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3656 of 2021

Arising Out of PS. Case No.-301 Year-2020 Thana- KUDHNI District- Muzaffarpur

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SANJAY SAH, SON OF LATE BIGAN SAH RESIDENT OF VILLAGE-
KERMA, P.S-KUDHANI, DISTRICT-MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 23-09-2021 Heard Mr. Rajesh Kumar, learned advocate for

the petitioner and Mr. Md. Matloob Rab, learned APP for

the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Kudhani (Kurhani) P. S. Case

No. 301 of 2020, dated 28.05.2020, instituted for the

offences under Sections 341, 342, 323, 302, 354 (B)

and 34 of the Indian Penal Code.

Though the petitioner is said to have assaulted

the deceased along with other accused persons but it has

been submitted on his behalf that he is the younger

brother of the deceased. A false case has been instituted



by the informant who herself is to be blamed for the murder of her husband. The mother of the deceased has also filed a complaint alleging that the wife of the deceased (informant) was not keeping good relation with her husband and on the day of the occurrence, she had fought with her husband only because he had taken food at the house of the petitioner. While arguing with her husband, she hit him with a piece of brick which led to his death.

Considering the afore-stated facts, the accused persons with similar allegations have been granted bail by this Court as well as by another Coordinate Bench of this Court in Cr. Misc. Nos. 37521 of 2020 and 10090 of 2021 *vide* orders dated 09.04.2021 and 27.08.2021, respectively.

The accusation against the petitioner is absolutely general and his case stands on the same footing as that of Binod Sah who is another brother of the deceased.



Considering the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. IIIrd (W), Muzaffarpur, in connection with Kudhani (Kurhani) P. S. Case No. 301 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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