

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10593 of 2022

Arising Out of PS. Case No.-138 Year-2021 Thana- MAHISHI District- Saharsa

1. Dasrath Sah S/O Late Gurusharan Sah R/O Village And Post- Baluaha, P.S.- Mahisi, District- Saharsa.
2. Arjun Sah S/O Late Gurusharan Sah R/O Village And Post Baluaha, P.S.- Mahisi, District- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-08-2022 Heard learned counsel for the parties.

Petitioners apprehend arrest in a case registered for offence punishable under section 302 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, FIR named accused persons with the help of some unknown persons killed informant's husband.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case on the basis of suspicion due to land dispute. No incriminating material has been collected against the petitioners during course of the investigation. Informant is not the eye witness of the



occurrence.

Learned counsel appearing for the State as well as the informant oppose the prayer for bail. Post mortem report supports the allegations made in the FIR and opines that the death was caused due to asphyxia due to strangulation and smothering.

In view of the nature of allegation, prayer for bail of the petitioners is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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