

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32295 of 2021

Arising Out of PS. Case No.-67 Year-2020 Thana- BIHARIGANJ District- Madhepura

1. Subhash Sah @ Subhash Kumar Sah Son of Late Shambhu Sah Resident of Village - Rajganj, Ward No. 11, Police Station - Bihariganj, District - Purnea.
2. Ram Narayan Sah Son of Late Shamhu Sah Resident of Village - Rajganj, Ward No. 11, Police Station - Bihariganj, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Parmeshwar Mehta

Mr.Pramod Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-01-2022 Heard learned counsel for the parties through video conferencing.

Petitioners pray for bail in Bihariganj P.S. Case No. 67 of 2020, registered for the offence under Section 302, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, on 10.03.2020 at 12.45 AM (night), while the informant's father and mother were sleeping at Basa, some unknown miscreants committed murder of informant's father.

It is submitted on behalf of petitioners that during course of investigation in the re-statement, the informant had developed story and named petitioners, as the person seen fleeing away from the place of occurrence. It is submitted that



though, mother of the informant was very much present at the place of occurrence, but did not name these petitioners at the time of lodging of First Information Report. Petitioners have got clean antecedent and they are in custody since 21.04.2020 and 29.04.2020 respectively.

However, learned counsel for the informant vehemently opposed the bail petition and submitted that wife of the deceased identified these petitioners and seen them fleeing away from the place of occurrence with arms.

Considering the aforesaid facts and circumstances as well as period of custody, the bail petition of petitioners is allowed. Let the above named petitioners 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 J.M.1st Class, Udakishunganj, Madhepura in connection with Bihariganj P.S. Case No. 67 of 2020.

(Prabhat Kumar Singh, J)

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