

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33742 of 2021

Arising Out of PS. Case No.-266 Year-2019 Thana- TURKAULIYA District- East
Champaran

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BRIJ BIHARI SAH S/o Late Shivnath Sah R/o Village- Raghunathpur, P.S.-
Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 33950 of 2021

Arising Out of PS. Case No.-266 Year-2019 Thana- TURKAULIYA District- East
Champaran

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MANORANJAN RAM Son of Gautam Ram Resident of Village - Majuraha
@ Manjurahan, P.S.- Turkauliya, (Raghunathpur O.P.), Distt.- East
Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 33742 of 2021)

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv.

Mr. Dhannjay Kumar No 2, Adv.

For the Opposite Party/s : Mr. Abhay Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 33950 of 2021)

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv.

Mr. Dhannjay Kumar No 2, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 07-03-2022 Heard Mr. Yogesh Chandra Verma, learned senior

counsel for the petitioners and learned Additional Public

Prosecutors for the State.

Petitioners seek regular bail in connection with

Turkauliya (Raghunathpur OP) PS Case No. 266/2019

registered for the offences punishable under Sections 302/34 of



the IPC and Section 27 of the Arms Act.

The First Information Report is against unknown in which the informant has stated that on 02.05.2019 at about 9:00 hours, he received information from SHO, Majhauriya PS that the dead body of his son, Deepak Kumar is kept at Sadar Hospital, Motihari. Upon receipt of the said information, he rushed to the hospital and saw the dead body of his son, Deepak Kumar. The informant has claimed that his son has been killed by unknown persons at Bal Ganga Murdahati, Kacchi Road.

Learned senior counsel appearing for the petitioners submits that the petitioners have falsely been implicated in this case without any material to connect them with the present offence. He further submits that merely due to criminal antecedent petitioners have been made accused in the present case and in the entire case diary no cogent or *prima facie* evidence has come against them.

On the other hand, learned counsel for the State referring to the case diary, submits that it is true that no evidence against the petitioners has come during course of investigation in order to connect them with the present offence, however, the petitioners are members of criminal gang headed by one Chandan Kumar against whom 26 cases are pending and the



petitioners also have got criminal antecedent.

Regards being had to the submissions made by the parties and taking into consideration the fact that the petitioners are in custody since 27.01.2021 and 19.02.2021 respectively, and learned counsel for the State failed to produce any material against the petitioners collected during course of investigation to connect them with the present offence, Charge-sheet has also been submitted in the matter, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, namely, BRIJ BIHARI SAH (CR. MISC. No.33742 of 2021) MANORANJAN RAM (CR.MISC.No. 33950 of 2021) be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Turkauliya (Raghunathpur OP) PS Case No. 266/2019.

(Anil Kumar Sinha, J)

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