

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40684 of 2022

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

SANJAY SAH Son of Sri Chhedi Sah Resident of Mohalla - Mahua, P.S.-
Ladania, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ugranath Mallik, Advocate
For the Opposite Party/s :	Mr.Jitendra Kumar Singh, APP
For the Informant :	Mr.Shashi Dhar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-08-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

This is the second attempt of the petitioner to seek regular bail in connection with Ladania P.S. Case No. 248 of 2020 registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code read with Section 27 of the Arms Act and Sections 3 of the Explosives Substance Act as earlier the regular bail application was withdrawn by the petitioner.

The informant alleges that on account of land dispute, his brother-in-law and sister were shot by the petitioner, it is next alleged that the minor daughter of the deceased, Varsha in her statement recorded under Section 164 of the Cr.P.C. has also supported the prosecution case and has stated that this petitioner



shot her parents and her grandfather was also alongwith them.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, petitioner is own brother of the deceased, there was a land dispute and the informant took the killing of his brother-in-law and sister as an opportunity to falsely implicate the petitioner.

Learned A.P.P. for the State and the learned counsel for the informant oppose the bail of the petitioner and the learned counsel for the informant submits that no doubt petitioner is own brother of the deceased and was having land dispute with him but then the minor daughter of the deceased in her statement recorded under Section 164 Cr.P.C. has supported the prosecution case.

Considering the submissions made by the learned A.P.P. for the State and the learned counsel for the informant, the Court is not inclined to release the petitioner on bail.

However, liberty is granted to the petitioner to move for regular bail after examination of the minor witness Varsha.

(Satyavrat Verma, J)

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