

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44663 of 2022

Arising Out of PS. Case No.-358 Year-2021 Thana- CHAKIA District- East Champaran

1. Ram Narayan Sah @ Ramayan Sah Son Of Late Raghunath Sah R/O Village- Balochak, P.S.- Chakia, Distt.- East Champaran
2. Rajesh Sah Son Of Late Mohan Sah R/O Village- Balochak, P.S.- Chakia, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-12-2022 Heard learned counsel appearing on behalf of the
petitioners and learned APP appearing on behalf of the State.

The petitioners seeks bail in connection with Chakia
P.S. Case No.358 of 2021 registered for the offence under
Sections 323, 325, 302 and 34 of the Indian Penal Code.

The accused/petitioners are named in the F.I.R. and is
in custody since 01.03.2022.

The allegation against the petitioners is to commit
murder of the mother of informant alongwith other co-accused
persons/family members due to previous enmities arising out of
neighbourhood disputes.

Learned counsel appearing on behalf of the petitioners



submitted that allegations against above named petitioners appears very much general and omnibus without specifying any overt act. It is also submitted that if face of F.I.R., be taken into consideration, then certainly number of injuries to be found upon body of the deceased, but post mortem report suggesting no external injuries, creating sufficient doubt over the version of informant claiming to be an eye witness of the occurrence. While concluding the argument, it is submitted that petitioners are man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for the bail.

In view of the facts and circumstances as mentioned above as no external injuries were noticed upon deceased, doubting over the version of informant claiming to be an eye witness of the occurrence coupled with the fact that charge-sheet has already been submitted, where both petitioners are in custody since 01.03.2022, let both above named petitioners are directed to be released on bail in connection with Chakia P.S. Case No.358 of 2021 on furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

U		T	
---	--	---	--

