

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48466 of 2022

Arising Out of PS. Case No.-472 Year-2021 Thana- PHULPARAS District- Madhubani

1. Gaya Prasad Sah @ Ganga Prasad Sah @ Bhulla Sah S/O Swaroop Sah Resident Of Village- Chhotaki Sanghi, P.S.- Phulparas, District- Madhubani, Bihar
2. Anil Kumar Sah @ Anil Sah S/O Gaya Prasad Sah @ Ganga Prasad Sah @ Bhulla Sah Resident Of Village- Chhotaki Sanghi, P.S.- Phulparas, District- Madhubani, Bihar
3. Sunil Sah @ Sunil Kumar Sah S/O Gaya Prasad Sah @ Ganga Prasad Sah @ Bhulla Sah Resident Of Village- Chhotaki Sanghi, P.S.- Phulparas, District- Madhubani, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhakar Thakur

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to
remove the defects within three weeks.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 302, 120B,
34 of the Indian Penal Code.

Learned counsel for the petitioners submits that
the petitioners are innocent and have been falsely implicated in
this case. He submits that occurrence took place on 15.10.2021
but the FIR has been lodged on 10.12.2021 after delay of two



months. He submits that there is case and counter case between the parties. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that there is no eye witness to occurrence and petitioners have been made accused in this case due to suspicion. He submits that son of the informant has filed an application regarding the death of the deceased which was later on registered as Phulparas U.D. Case No. 09 of 2021. From the perusal of the U.D. Case it is evident that none of the petitioners have been named in the same. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is delay in filing the FIR, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Phulparas P.S. Case No. 472 of 2021,



subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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