

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9838 of 2021

Arising Out of PS. Case No.-144 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

1. Paras Nath Sah @ Paras Sah, aged about 55 years, Gender-Male, son of late Ram Prit Sah.
2. Dharmendra Sah @ Dharamendrar Sah, aged about 25 years, Gender-Male, son of Paras Nath Sah @ Paras Sah.
Both residents of Village- Chanaur, P.S.- Siwan Muffasil (Dhanauti O.P.) , District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar, Adv.
For the State	:	Mr. Shantanu Kumar, APP
For the Informant	:	Mr. Ajay Kumar Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 08-03-2022 Heard Mr. Ashok Kumar, learned Advocate for the petitioners and Mr. Ajay Kumar Pandey for the informant. The State is represented by Mr. Shantanu Kumar.

The petitioners seek bail in anticipation of their arrest in connection with Siwan Muffasil P.S. Case No. 144 of 2020 dated 17.03.2020 instituted for the offences under Sections 302, 201, 120(B), 34 of the Indian Penal Code.

The husband of the Informant went missing from 09.03.2020 and only on 17.03.2020, his dead body was recovered. In fact, it was difficult to identify the dead body to be that of the husband of the informant because it was found to be



completely battered.

The informant has suspected that the petitioner and several others who had enmity with the deceased from before and who had been threatening the deceased of dire consequences, are responsible for the murder of the deceased.

Learned counsel for the petitioners submits that beyond suspicion by the wife of the deceased, there is no other material in the entire investigation papers to connect the petitioners with the offence. Nobody has seen the occurrence and there is no statement of anyone of the witnesses examined during the investigation which would bring home even remotely the charge under Section 302 I.P.C. against the petitioners.

Learned counsel for the Informant has submitted that the petitioners and others had been threatening the deceased and his family of dire consequences.

This cannot be taken as an evidence strong enough to reject the prayer for anticipatory bail of the petitioner.

For the reasons aforestated above, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten



Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Siwan Muffasil P.S. Case No. 144 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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