

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12725 of 2022

Arising Out of PS. Case No.-177 Year-2021 Thana- MURLIGANJ District- Madhepura

VIVEK KUMAR SAH Son of Late Ram Naresh Sah Resident of Village-
Sahebganj Itahari, Ward No.9, Police Station- Murliganj, District-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 14886 of 2022

Arising Out of PS. Case No.-177 Year-2021 Thana- MURLIGANJ District- Madhepura

PRINCE KUMAR SON OF VIVEK KUMAR SAH R/O VILLAGE-
SAHEBGANJ ITAHARI, WARD NO.-9, P.S.- MURLIGANJ, DISTRICT-
MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 12725 of 2022)

For the Petitioner/s : None

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

For the Informant : Mr. Bam Bahadur Jha, Advocate

(In CRIMINAL MISCELLANEOUS No. 14886 of 2022)

For the Petitioner/s : None

For the State : Mr. Pranav Kumar, APP

For the Informant : Mr. Bam Bahadur Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 06-01-2023 No one appears for the petitioners. Learned APP for
the State and learned counsel for the Informant are present.

The petitioners have preferred this application for
grant of regular bail in a case registered under sections 302,
120B and 34 of the Indian Penal Code and section 27 of the



Arms Act.

As per the prosecution case, the informant states that his daughter happens to be the second wife of the petitioner Vivek Kumar Sah. The accused persons including the two petitioners herein assaulted the informant's daughter as a result of differences in the family affairs and she was done to death by a sharpened weapon and also shot by a firearm.

From the contents of the two petitions it transpires that the case of the petitioners is that the petitioner Vivek Kumar Sah happens to be the husband while the petitioner Prince Kumar happens to be the son of the Vivek Kumar Sah from his first marriage. The informant is not an eye-witness to the occurrence. The allegations are general and omnibus in nature and it is only on basis of suspicion that the petitioner has been falsely implicated in the case. Petitioners are in custody since 19.9.2021 and 24.5.2021 respectively. Charge sheet has been submitted in the case. They have no criminal antecedent.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that besides there being direct allegation against the petitioners even charge has been framed in the learned trial Court.



Having perused the materials on record and having heard learned APP for the State and learned counsel for the informant as also taking into consideration the nature of allegation against the petitioners, the Court is not inclined to enlarge the petitioners on bail and both the applications are rejected.

(Partha Sarthy, J)

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