

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 21092 of 2023

Arising Out of PS. Case No.-200 Year-2021 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Munna Sah S/O Shree Ram Sah, Resident Of Village- Bahadurpur, P.S.- G.B.
Nagar, Distirct- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with G.B.
Nagar P.S. Case No. 200 of 2021 dated 16.08.2021, instituted
for the offence punishable under Sections 341, 323, 364, 302,
201, 34 of the Indian Penal Code and 27 of the Arms Act.

3. The prosecution case, in short, is that on
13.08.2021 at 02.00 P.M., Markandey Singh and Ankit Singh
came the informant's house and took her son Happy Chaubey on
the pretext of inquiring about an incident relating to assault
which took place one day before. When they reached near the
place of occurrence, about 12 accused persons started
indiscriminate firing and killed her son and threw the dead body
in a ditch. Further the dead body was recovered on 15.08.2021.



It has been alleged that one day prior to the incident, the petitioner and other accused persons along with 4-5 unknown persons were killed her son.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case merely on suspicion and village politics. Learned counsel for the petitioner submits that the date of occurrence is 13.08.2021, but First Information Report has been lodged on 16.08.2021 with a delay of three days. Learned counsel for the petitioner further submit that the informant is not an eye-witness of the occurrence. The allegation against the petitioner is general and omnibus. Learned counsel for the petitioner submits that 8 accused persons have already been granted bail by Co-ordinate Benches of this Court, whose details are mentioned in annexure-2 series. Lastly, it has been submitted that the petitioner is in custody since 02.12.2022 having one criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of



Rs. 10,000/- (ten thousand) with two sureties of the like amount
each to the satisfaction of the learned Judicial Magistrate,
Siwan, in G.B. Nagar P.S. Case No. 200 of 2021.

(Khatim Reza, J)

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