

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21916 of 2023

Arising Out of PS. Case No.-338 Year-2017 Thana- HUSSAINGANJ District- Siwan

Mukesh Sah @ Mukesh Kumar, Son Of Swaminath Sah R/V- Darweshpur
P.S- Hussainganj, Dist- Siwan

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 10-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 302/ 120B/ 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that on 27.11.2017, her son had gone to Siwan
for getting train ticket to take her to Kolkata for treatment. It is
next alleged that 11.00 A.M., she came to know that one person
was killed, thereafter, she was informed that her son has been
killed. Accordingly, she along with her family members went to
the place of occurrence and identified the dead body of her son.
It is next alleged that about six months back son of Jahir Ansari



was killed, in which her son Barku Mian is an accused and is in judicial custody presently. Further, alleges that Jahir Ansari had threatened to kill her son. It is next alleged that Munna Mian and his sister Aisha Khatoon had also threatened to kill her son. Thereafter, alleges that petitioner, who is her neighbour, also used to force her to get her sister meet his mother or else will kill the entire family. Thus, on suspicion, alleges that the accused persons including the petitioner might have killed her son.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the entire allegation hinges around suspicion and the informant raises suspicion on several accused persons. It is next submitted that petitioner is her neighbour and is having dispute, as such, the informant also made him an accused based on suspicion.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail



on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-X, Siwan in connection with Hussainganj P. S. Case No.338 of 2017, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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