

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37704 of 2023

Arising Out of PS. Case No.-101 Year-2021 Thana- SARSI District- Purnia

=====

DIPAK KUMAR SAH @ DIPAK SAH @ PINKU SAH S/O BHAGWAT
SAH R/O Village- Parasmani, PS. Sarsi, Dist. Purnia

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 302/34 of the IPC.

3. Allegedly, the son of the informant is said to have been
murdered by the petitioner and co-accused Chhotu Kumar and
dead body was found lying in the poultry farm of the petitioner.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation
leveled against the petitioner is not specific rather general and
omnibus in nature. From bare perusal of the F.I.R., it is apparent
that the specific allegation is against the co-accused Chhotu



Kumar that he after committing murder of son of informant, brought him at the poultry farm of the petitioner and threw there. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) 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 Sarsi P.S. Case No.101/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

