

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44615 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- KOTWA District- East Champaran

1. Sima Devi, Wife of Umesh Sahani, Resident of Village- Bhataha, P.S.- Motihari Muffasil, Distt- East Champaran
2. Umesh Sahani, Son of Ganesh Sahani, Resident of Village- Bhataha, P.S.- Motihari Muffasil, Distt- East Champaran
3. Jagarnath Sahani, Son of Ganesh Sahani, Resident of Village- Bhataha, P.S.- Motihari Muffasil, Distt- East Champaran
4. Bashistha Manjhi, Son of Chalitar Manjhi, Resident of Village- Patti Jasauli, P.S.- Kotwa, Distt- East Champaran
5. Ravindra Manjhi, Son of Mandu Manjhi, Resident of Village- Patti Jasauli, P.S.- Kotwa, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan, Adv.
For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 08-08-2023 1. Heard learned counsel for the petitioners and the State.
2. Petitioners apprehend their arrest in a case registered for the offences punishable under sections 302, 201 and 120(B)/34 of the Indian Penal Code.
3. It is alleged that these petitioners brought the son of the informant to Vijaybada for doing work as labourer and when the informant demanded the earned money of his son, these accused person killed the son of the informant and cremated the



dead body in order to screen the evidence.

4. It is submitted that the petitioners are innocent and have falsely been implicated in this case. The informant is not the eye-witness of the occurrence. It is further submitted that the son of the informant, namely, Chandan Paswan accidentally died by falling on Railway track between Gudivada and Moturu Railway Station on down line track, for which Gudivada G.R.P.S. Case No. 51 of 2022 has been lodged on 31.10.2022 and after lapse of 3½ months, the informant lodged the present case against these petitioners with a view to extort money . There is general and omnibus allegation against these petitioners and no overt act is alleged against them. Petitioner nos. 1, 2, 4 and 5 claim clean antecedent and petitioner no. 3 has got one criminal antecedent in which he is on bail.

5. Learned counsel for the State opposes the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let these petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. -X, East Champaran at Motihari in



connection with Kotwa P.S. Case No. 54 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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