

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52222 of 2022

Arising Out of PS. Case No.-156 Year-2021 Thana- LAXMIPUR District- Jamui

1. DABLU SAH @ DABLU KUMAR SAH SON OF GANPAT SAH R/O VILLAGE- DEHRIDIH, P.S.- KHAIRA, DISTRICT- JAMUI
2. VIKASH SAH @ VIKASH KUMAR SON OF LAKHAN SAH R/O VILLAGE- DHARBA, P.S.- LAXMIPUR, DISTRICT- JAMUI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 46001 of 2022

Arising Out of PS. Case No.-156 Year-2021 Thana- LAXMIPUR District- Jamui

GANPAT SAH @ GANPATI SAH Son of - Sundar Sah Resident of Village - Dehridih, P.S.- Khaira, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 52222 of 2022)

For the Petitioner/s : Mr.Amar Prakash, Adv.

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

(In CRIMINAL MISCELLANEOUS No. 46001 of 2022)

For the Petitioner/s : Mr.Amar Prakash, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 06-02-2023 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners as well as
Mr. Rajendra Prasad Nat, the learned APP for the State.



The petitioners apprehend their arrest in connection with Laxmipur P.S. Case No. 156 of 2021, registered for the offences punishable under Sections 302, 201, 120B/34 of the Indian Penal Code.

Informant Chotan Sah, has stated in his fardbeyan that the petitioner Dablu Sah called his son Sanjeet Kumar to the house of the petitioner Vikash Sah for participating in panchayat. There was some dispute between son of the informant Sanjeet Kumar and the petitioner Dablu Sah for transaction of rupees four lakhs. After three days, the informant came to know that the dead body of his son was found in Bajan river along with Magic vehicle. The informant expressed his firm belief that the petitioners had murdered the deceased.

The learned counsel for the petitioner has submitted that after three days of the occurrence the dead body was found. Petitioner Ganpat Sah is father of Dablu Sah. Nothing has collected against him during course of investigation. He has further submitted that none had seen the occurrence and the FIR has been lodged only on the basis of suspicion.

On the other hand, learned APP has opposed the prayer for bail. He has submitted that the petitioner Dablu Sah called the deceased to participate in panchayati. Thereafter, his dead body was found in a river after three days. There was previous enmity



between Dablu Sah and the deceased which is revealed in the FIR itself. The deceased was brought to the house of the petitioner Vikash Sah and in supervision note, it has come that Vikash Sah and petitioner Dablu Sah had killed the deceased.

In my view, the petitioners Dablu Sah and Vikash Sah do not deserve the privilege of anticipatory bail. Accordingly, their prayer for **anticipatory bail is rejected.**

So far as petitioner Ganpat Sah is concerned, there is nothing against him during course of investigation, let him, in the event of his arrest or surrender within four weeks before the learned court below, be released 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 learned Judicial Magistrate, 1st Class, Jamui in connection with Laxmipur P.S. Case No. 156 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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