

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73462 of 2022

Arising Out of PS. Case No.-865 Year-2021 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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KISHAN SAH Son of Gauri Sah Resident of Mohalla- Belwaganj, Ward No.-
42, P.S.- Laherisarai, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raj Kumar Sah Son of Late Jugal Sah Resident of Mohalla- Belwaganj,
Ward No.-42, P.S.- Laherisarai, District- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302/34
of the Indian Penal Code.

As per complaint case, the petitioner and co-
accused Rambabu Sah came at his house to call his son
namely, Vijay Sah for repairing electricity. On next day
Vijay Sah was found dead near hospital. It is further alleged
that complainant's son was died due to electric current and
accused persons fled away after this incident.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that the deceased died near the house of Rajesh Kumar Mahto of Belwaganj due to electric current and for this on 11.10.2021, the fardbyan of the complainant was recorded in Laherisarai P.S. U.D. Case No. 10/2021 was registered. The complainant is own uncle of the petitioner and there is land dispute between the parties due to which this petitioner has falsely been made accused in the present case. It is further submitted that there is case and counter case between the parties. Moreover, the petitioner is languishing in judicial custody since 12.9.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Complaint Case No. 865 of 2021 P.S. Case No. 194 of 2022 on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the
satisfaction of learned Judicial Magistrate-2nd, Darbhanga.

(Sunil Kumar Panwar, J)

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