

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70833 of 2022**

Arising Out of PS. Case No.-575 Year-2020 Thana- RANIGANJ District- Araria

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1. VIJAY SAH @ VIJENDRA SAH S/o Dhanik Lal Sah R/o Village- Nagrahi, Ward no. 10, P.S.- Raniganj, Distt- Araria.
  2. Suren Sah @ Surendra Sah S/o Dhanik Lal Sah R/o Village- Nagrahi, Ward no. 10, P.S.- Raniganj, Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Binod Kumar Yadav, Adv.

For the Opposite Party/s : Mr.J.N. Thakur, APP

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

ORAL ORDER

4      11-05-2023                      Heard learned counsel for the petitioners as well as  
learned APP for the State.

In this case, the petitioners are seeking regular bail in connection with Raniganj P.S. Case No. 575 of 2020, registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

As per prosecution case, the brother of informant owns a fertilizer shop and he was sleeping in the shop, in the night of occurrence, his neighbor shopkeeper heard sound of screaming of a girl who is alleged to be Rabina Kumari. When the neighbor shopkeeper asked him about screaming, he replied that it was screaming of Rabina Kumari who had love and affection with him. In the next morning, the dead-body of brother of the informant was



found hanging in the shop. The informant expressed his firm belief that this petitioners along with Baijnath Sah, Rabina Kumari and Gautam Sah had committed murder of his brother by strangulating him.

The learned counsel for the petitioners has submitted that except suspicion there is no evidence against the petitioners at all. He has also submitted further that the petitioners are not related to co-accused Rabina Kumari who was screaming in the shop of the deceased. He has also submitted that on similar footing co-accused Gautam Kumar Sah has been granted bail by the coordinate Bench of this Court in Cr. Misc. No. 38581 of 2022. The petitioners are the person of clean antecedent and they are under custody since 22.08.2022.

On the other hand, the learned APP, Shri J.N. Thakur has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances especially the fact that the other co-accused on similar footing has been granted bail, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Raniganj P.S. Case No. 575 of 2020, subject to the following conditions:-

(i) The petitioners shall cooperate in the disposal of trial and make themselves available as and



when required by the court.

(ii) If the petitioners are found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

**(Nawneet Kumar Pandey, J)**

Sudha/Sonali

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