

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74922 of 2022

Arising Out of PS. Case No.-138 Year-2021 Thana- MAHISHI District- Saharsa

ARJUN SAH S/o Late Guru Charan Sah @ Late Gurusharan Sah R/v-
Baluaha, P.S.- Mahishi, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 9849 of 2023

Arising Out of PS. Case No.-138 Year-2021 Thana- MAHISHI District- Saharsa

DASHRATH SAH SON OF LATE GURU SHARAN SAH R/O VILLAGE-
BALUAHA, P.S.- MAHISHI, DISTRICT- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 74922 of 2022)

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Binod Kumar

For the Informant : Mr. S.K. Singh, Mr. D.K. Maharraj, Adv.

(In CRIMINAL MISCELLANEOUS No. 9849 of 2023)

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-05-2023 Heard learned counsel for the petitioners, learned
counsel for the informant and learned APP for the State.

The petitioners have prayed for bail in a case
instituted for the offence under Sections 147, 149, 302, 120(B),
448 and 379 of the Indian Penal Code.

It is a case of commission of murder to the



informant's husband, namely, Rajesh Sah by pressing his mouth by putting pillow and it is further alleged that prior to the alleged occurrence, accused persons had threatened the deceased due to land dispute.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. No one is the eye witness of the alleged occurrence. Only on the basis of suspicion, the name of the petitioners dragged in the present case. Petitioners were only the member of mob. During investigation, no consistent material has come against them to show their involvement in the present case. General and omnibus allegation has been levelled against the petitioners. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 7.4.2022 passed in Cr. Misc. No. 7081 of 2022. They are languishing in judicial custody since 14.09.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that petitioners are named in the FIR.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named



petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Saharsa in connection with Mahishi P.S. Case No. 138 of 2021.

The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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