

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14376 of 2024

Arising Out of PS. Case No.-275 Year-2023 Thana- DARIYAPUR District- Saran

Chhotu Sah @ Chhathi Sah S/o Naresh Sah @ Ramnaresh Sah Resident of
Village- Tarwa Mangarpal, P.S.- Dariyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 3 29-04-2024 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offences punishable under Section 304/34 of the Indian Penal Code.
3. The prosecution case, in brief, is that on 19.05.2023, all the F.I.R. named accused persons including this petitioner, in drunken state, brutally assaulted the brother of the informant and thereafter, committed his murder with electric current of motor. It is further alleged that the accused persons also took away the mobile phone bearing SIM No. 9708364798.
4. Learned counsel for the petitioner submits that petitioner is illiterate labourer and he used to work in the bathan of co-accused Umesh Ray due to which he has falsely been implicated in the present case. As per the F.I.R., specific



accusation of committing murder of brother of the informant is against co-accused Umesh Ray. Doctor has also found the cause of death as electrocution. He next submits that informant is not an eye witness of the occurrence. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saran at Chapra in connection with Dariyapur P. S. Case No. 275 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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