

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27594 of 2024

Arising Out of PS. Case No.-348 Year-2023 Thana- PARSA District- Saran

Rajesh Sah Son of Vinod Kumar @ Bhagsagar Sah Resident of Village- Parsa
Mathura, P.S.- Parsa, District- Saran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr.Shailendra Kumar

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

ORAL ORDER

3 01-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Sessions Trial No. 148 of 2024 arising out of Parsa P.S. Case No. 348 of 2023, registered for the offences punishable under Sections 302, 34 of the IPC.

3. The informant mentioned in his FIR that five named accused persons in the FIR committed murder of his son by brutally assaulting him with knife, iron rod and brick-bats. Co-accused Sambhu Manjhi @ Rawan and the deceased, prior to the occurrence, were in jail in connection with some cases and inside the prison, there was some enmity between them. Co-accused Sambhu Manjhi @ Rawan had threatened the deceased



that he will kill him as soon as he is released from the jail.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He is a person of clean antecedent. The name of the petitioner has figured only the basis of suspicion. The confessional statement of co-accused Sambhu Manjhi @ Rawan was recorded in which he confessed his guilt and stated that co-accused Ravi Giri committed murder of the deceased by inflicting knife blows. He did not make any overact against the petitioner. Co-accused Ravi Giri has also confessed his guilt but didn't make any overact against the petitioner. The petitioner has also confessed to participate in the occurrence but he didn't confess any overt act in committing murder of the deceased. The blood-stained clothes were recovered, on disclosure of co-accused Sambhu Manjhi @ Rawan.

5. On the other hand, the learned APP for the State Sri Shailendra Kumar has opposed the prayer for bail and submitted that the petitioner, in his self-inculpatory statement, has stated that he was enemy to the transaction of murder of the deceased.

6. No overact has been assigned against the petitioner either in the FIR or in the confessional statement of co-accused Sambhu Manjhi @ Rawan or in the confessional statement of



co-accused Ravi Giri.

7. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Saran in connection with Sessions Trial No. 148 of 2024 arising out of Parsa P.S. Case No. 348 of 2023, subject to the following condition:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) **In case of failure on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bonds of the petitioner.**

(Nawneet Kumar Pandey, J)

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