

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43446 of 2024

Arising Out of PS. Case No.-282 Year-2023 Thana- CHAKIA District- East Champaran

BIDESHI SAH @ VIDESHI SAH SON OF LATE JHAGRU SAH
VILLAGE- RASMANDAL, P.S.- PIPRA, DISTT.- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 44119 of 2024

Arising Out of PS. Case No.-282 Year-2023 Thana- CHAKIA District- East Champaran

Umashankar Sahani W/o Adalat Sahani R/o Village-Baishaha, P.S.-Chakiya,
District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 43446 of 2024)
For the Petitioner/s : Mr. Abhishek Kumar, Adv.
For the Opposite Party/s : Mr. Anil Kumar, APP.
Mr. Ajay Kumar Singh, Adv.
(In CRIMINAL MISCELLANEOUS No. 44119 of 2024)
For the Petitioner/s : Mr. Abhishek Kumar, Adv.
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP.
Mr. Ajay Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2024 Heard learned counsel for the parties.

2. As both these bail applications have cropped up from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.

3. The petitioners seek bail in connection with Chakia P.S.



Case No.282 of 2023, registered for the offence punishable under Sections 302, 120B of the Indian Penal Code and Section 27 of Arms Act.

4. The allegation against the petitioners is that they, along with other co-accused persons murdered the brother of the informant by stabbing with knife and shooting from fire arms.

5. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. They have been made accused in the present case merely on suspicion. It is further submitted that earlier the prayer for regular bail on behalf of the petitioners has been rejected by this Court with a liberty to renew their prayer for bail after framing of charge. Now, charge has been framed against the petitioners. He further submits that petitioner Bideshi Sah has no criminal antecedent, whereas petitioner Umashankar Sahani has two criminal antecedents. Petitioners are rotting in jail since 13.12.2023 and 11.01.2023, respectively.

6. Learned APP for the State as well as learned counsel



for the informant vehemently opposes the prayer for bail. Learned counsel for the informant fairly submits that the allegation levelled against the petitioners is not specific rather general and omnibus in nature.

7. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners and charge has already been framed against them, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/Successor Court in connection with Chakia P.S. Case no. 282 of 2023.

(Anjani Kumar Sharan, J)

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