

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59055 of 2024**

Arising Out of PS. Case No.-482 Year-2023 Thana- SAUR BAZAR District- Saharsa

Chhotelal Sah Son of Late Soray Sah R/o Village- Golma Basa Tola, P.S.-  
Sour Bazar, District- Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with

**CRIMINAL MISCELLANEOUS No. 63151 of 2024**

Arising Out of PS. Case No.-482 Year-2023 Thana- SAUR BAZAR District- Saharsa

Kundan Kumar @ Kundan Sah Son of Chhotelal Sah R/o Village- Golma  
Baza Tola, P.S.- Sosur Bazar, District- Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 59055 of 2024)

For the Petitioner : Mr. Durgesh Kumar, Adv

For the Opposite Party : Mr. Umanath Mishra, APP

(In CRIMINAL MISCELLANEOUS No. 63151 of 2024)

For the Petitioner : Mr. Durgesh Kumar, Adv

For the Opposite Party : Mr. Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

3      25-10-2024                      Heard learned counsel for the petitioners and  
  
learned APP for the State.

2. The petitioners have preferred this application for  
grant of regular bail in connection with Sour Bazar (Patarghat  
O.P) P.S Case No. 482/2023 dated 18.08.2023 registered for the  
offence punishable u/s 341, 323, 302, 379, 504, 506 read with



Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, when the informant's mother was going to deposit money in the bank, the petitioners and the co-accused persons holding lethal weapons came and surrounded the informant's mother and started abusing her, on being objected by her, upon the order of Chandan Kumar, the co-accused Dilkhush Kumar fired on the informant's mother which hit left temple causing severe injury. The rest co-accused persons also assaulted her with fists and legs due to which she died and the co-accused, Chandan Kumar also snatched Rs. 45,000/- from the informant's mother.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The specific allegation of firing is against the co-accused, Dilkhush Kumar. There is general and omnibus allegation against the petitioners. The other co-accused person has already been granted bail by this court *vide* order dated 25.09.2024 passed in Cr. Misc. No. 63391/2024. Nothing has been recovered from the possession of the petitioners. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 23.06.2024.



5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Saharsa, in connection with Sour Bazar (Patarghat O.P) P.S Case No. 482/2023.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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