

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76654 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- PARSAUNI District- Sitamarhi

Ram Balak Sah Son Of Late Kungru Sah @ Kanglu Sah R/O Village- Rampur Barahi, Ward No.4, P.S.- Riga, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 83598 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- PARSAUNI District- Sitamarhi

Jailal Sah Son Of Uchit Sah R/O Village- Raghopur Bakhari, P.S.- Punaura, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 76654 of 2023)
For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Mohammed Arif
For the Informant : Md. A. Rahman
(In CRIMINAL MISCELLANEOUS No. 83598 of 2023)
For the Petitioner/s : Mr.Devendra Kumar
For the Opposite Party/s : Mr.Dr. Ajeet Kumar
For the Informant : Mr. A. Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Parsauni P.S. Case No. 106 of 2023 registered under sections 363, 365, 506 and 34 of the Indian Penal Code and later on, Sections 364, 302, 201 and 120B of IPC were



added.

Allegation against co-accused persons is that they committed murder of the informant's minor son, namely, Hira Kumar by pressing his neck. It is further alleged that the petitioners also involved in the said occurrence.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. The petitioners are not named in F.I.R. rather their name came during the course of investigation. The specific allegation of committing murder of the informant's son by pressing his neck is against co-accused Mishri Lal not against the petitioners. It is further submitted that co-accused, namely, Mishri Lal confessed his guilt in his confessional statement and stated that after commission of murder, he went to the house of the petitioner No.1. Only allegation against these petitioners is that they were also involved in the said case except that nothing consistent material has come against them in commission of murder of the informant's son. A statement has been made in para-3 of these petitions that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 17.08.2023.



The application for bail is opposed by learned APP for the State and learned counsel for the informant.

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Parsauni P.S. Case No. 106 of 2023 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class-cum-Additional Munsif, Sitamarhi.

(Sunil Kumar Panwar, J)

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