

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85001 of 2023

Arising Out of PS. Case No.-152 Year-2023 Thana- AANDAR District- Siwan

1. Pancha Sah @ Panchanand God Son Of Late Khobhari Sah Resident Of Village- Bharauli P.S.- Andar, District- Siwan
2. Parma Sah Son Of Late Roshan Sah Resident Of Village- Bharauli, P.S.- Andar, District- Siwan

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Ms/Mrs. Priyanka Singh, Advocate
For the Opposite Party : Mr.Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 04-07-2024 Learned counsel for the petitioners prays for and is permitted to correct the village name of petitioners mentioned in the cause title of the case.

2. Heard learned counsel for the petitioners and the State.

3. Petitioners apprehend arrest in a case registered for the offence punishable under sections 302, 120B, 34 of the Indian Penal Code.

4. As per the prosecution case, informant found his brother lying unconscious in the flank of the village road. He suspects that he might have been killed by all the FIR named accused persons including these petitioners by offering him poisonous alcohol.

5. It is submitted on behalf of the petitioners that the petitioners have falsely been implicated in this case only on suspicion. There is no eye-witness of the occurrence. Even post mortem report does not corroborate the prosecution case. Doctor has neither found any external injury on the body of the



deceased nor he has suspected a case of poisoning. At best, it is a case of last seen with the deceased. Petitioners claim clean antecedent.

6. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, Siwan, in connection with Andar Police Station Case No. 152/2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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