

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16768 of 2025

Arising Out of PS. Case No.-399 Year-2020 Thana- SUGAULI District- East Champaran

1. Naresh Sah S/o Yogendra Sah R/o Village- Kobeya Bazar, PS- Sugauli, District- East Champaran
2. Sharma Sah S/o Yogendra Sah R/o Village- Kobeya Bazar, PS- Sugauli, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 03-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Sugauli P.S. Case No. 399 of 2020 instituted for the offence under Sections 302, 201, 120(B)/34 of the Indian Penal Code. Earlier vide order dated 10-01-2025, passed in Cr. Misc. No. 83085 of 2024, anticipatory bail of the petitioner was rejected.

3. As per prosecution case, the informant states that the four accused persons including the petitioners herein took away his son and the next morning, his dead body was recovered.

4. It has been submitted on behalf of the petitioners



that the petitioners are in custody since 20-01-2025. Petitioners bear no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Admittedly, there is no eye witness to the alleged occurrence. The case at best is of last seen. Learned counsel submits that prosecution case does not disclose any enmity between the petitioners and informant's family as also did not disclose any reason for commission of the offence. Charge sheet is submitted in this case. Other similarly situated co-accused has been granted bail by this Court vide order dated 19-07-2021, passed in Cr. Misc. No. 9929 of 2021.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, claim based on parity and there being no specific allegation against the petitioners except mere suspicion, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each



with two sureties of the like amount each to the satisfaction
of Court below/concerned Court in connection with Sugauli
P.S. Case No. 399 of 2020.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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