

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83085 of 2024**

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

1. Naresh Sah Son of Yogendra Sah Resident of vill-Kobeya Bazar, P.S-Sugauli, Distt.- East Champaran at Motihari
2. Sharma Sah Son of Yogendra Sah Resident of vill-Kobeya Bazar, P.S-Sugauli, Distt.- East Champaran at Motihari

... .. 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 | : | Mr. Dr. Indivar Kumari, APP      |
| For the Informant        | : | Mr. Santosh Kumar, Advocate      |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      10-01-2025

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Sugauli P.S. Case no.399 of 2020, registered under sections 302, 201, 120B and 34 of the Indian Penal Code.

3. As per the 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. Learned counsel for the petitioners submits that



the petitioners and the other members of their family have been falsely implicated in the case. Admittedly, there is no eye witness to the occurrence. The case at best against the petitioners is one of last seen. Realising the error of having falsely implicated the accused persons, it is submitted that the parties have entered into a compromise vide petition brought on record as Annexure P-2 to the petition. The petitioners have no criminal antecedent and undertake to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P for the State.

6. Learned counsel appearing for the informant submits that the matter has been settled between the parties and a compromise petition has been filed in the learned Court below.

7. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioners in the F.I.R together with the material that has transpired in course of investigation, the Court is not inclined to enlarge the petitioners on anticipatory bail and the application is rejected.

8. The petitioners are directed to surrender in the learned Court below within a period of four weeks.



9. In case the petitioners so surrender within the aforesaid period and pray for regular bail, the same shall be considered on its own merit without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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