

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86699 of 2024

Arising Out of PS. Case No.-912 Year-2023 Thana- KANTI District- Muzaffarpur

1. Harendra Sah S/o- Nathuni Sah R/O Village- Raghapur Police Station-
Minapur District-Muzaffarpur
2. Chandan Kumar @ Chandan Sah S/o- Late Chandeshwar Sah R/O Mohalla-
Amgola Police Station- Mithanpura District - Muzaffarpur
3. Sonu Kumar S/o- Late Ganesh Sah R/O Village- Sadatpur Police Station-
Kanti District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar S.K., Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-01-2025 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 302/34 of
the Indian Penal Code.

3. Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and the informant,
who is wife of Shivji Sah, alleges that Geeta Devi, Sita Devi and
Sonu Kumar got the ancestral land recorded in their name
through Mina Devi, when in the said land her husband Shivji
Sah also had his share and when Shivji Sah came to know about
the said misdeeds, he went to complain to the accused persons



as to why the land, which was in his share, has been recorded in the name of Gita, Sita and Sonu, on which he was abused and assaulted. It is next alleged that on 25.11.2023, the informant had gone to the police station for registering an F.I.R. with regard to the occurrence dated 24.11.2023, when Shivji Sah was assaulted and accused persons taking advantage of the absence of the informant strangled Shivji Sah to death.

4. Learned counsel for the petitioners submits that petitioner nos. 1 and 2 are brother-in-law of Shivji Sah i.e. husband of the sisters of Shivji Sah and petitioner no. 3 is brother of Shivji Sah. It is further submitted that earlier sister, mother and sister-in-law of Shivji Sah, namely, Sita Devi, Geeta Devi and Mina Devi had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 52459 of 2024 and the same was allowed by an order dated 30.07.2024. It is next submitted that on account of dispute relating to property, the informant has implicated the entire family members based on suspicion with a view to coerce him into submission. It is also submitted that Shivji Sah out of frustration had committed suicide being aggrieved by the conduct of the informant and the informant took the same as an opportunity to implicate the entire family members including the petitioners. It is submitted



that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kanti P.S. Case No. 912 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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