

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26840 of 2015

Arising Out of PS.Case No. -238 Year- 2014 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

=====

1. Sunil Sah, son of Mahesh Sah

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-07-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections
147/148/149/341/323/302/504 of the Indian Penal Code.

It is alleged that the informant sent his son, namely,
Nippu Kumar to the house of co-accused Subhash Sah for taking
back the loan amount when his son did not return the informant
went to the house of co-accused Subhash Sah where he found his
son being assaulted by the accused persons. It is further alleged
that when the accused persons chased the informant then he went
to the house of the 'Panchayat Mukhiya' but subsequently,
informant's son was thrown at his door with serious injuries, who
subsequently succumbed to the injuries.

It is submitted by learned counsel for the petitioner that

as per own admission of the informant the dispute was between the informant and co-accused Subhash Sah. Moreover, it appears absolutely unreasonable that informant left the place of occurrence his son being assaulted at the hands of the accused persons. The chargesheet has been submitted under section 304 IPC.

Considering the fact that accusation has been found true under section 304 IPC, this court is not inclined to grant anticipatory bail to the petitioner.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Bettiah (Muffasil) P.S. Case No.238 of 2014, pending before the learned Chief Judicial Magistrate, West Champaran at Bettiah.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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