

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27779 of 2015

Arising Out of PS.Case No. -267 Year- 2014 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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1. Rajo Sah @ Rajo Sahu Son of Sri Ram Bahadur Sah Resident of village
- Sanha - Bakhadda, P.S. Sahebpur - Kamal, Duistrict - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kalika Nand Jha

For the Opposite Party/s : Mr. Sahin Begam(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 15-10-2015 Heard the learned counsel for the petitioner as well as

the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 148, 149, 302, 307, 323, 324, 325
and 341 of the I.P.C

Allegedly, the petitioner and other F.I.R. named
accused persons started assaulting the husband of the informant
and pulled out the eyes from knife and on alarm being raised they
assaulted mother-in-law and Nanad of the informant. The motive
behind the occurrence as alleged is that the son of the informant
was kidnapped last year by the accused persons and to put
pressure to withdraw that case occurrence has taken place and
further the accused persons put the country made katta near her

husband and when her husband was being brought to Sadar Hospital, Begusarai he died in the way.

Submission is of false implication and that the petitioner was not an accused in that kidnapping case, only due to village politics the petitioner has been implicated. The wife of the petitioner has been allowed bail vide Cr. Misc. No. 12399 of 2015 by order dated 26.05.2015. There is general and omnibus allegation and no specific role has been assigned against the petitioner also and he is suffering in custody since 10.10.2014. The informant in her further statement in paragraph-26 of the case diary has stated specifically that Shankar Sah, Parsuram Sah and Savitri Devi after pulling her husband from the cycle took away inside the house.

The learned A.P.P. opposes prayer for bail by submitting that the injured Dayarani Devi has stated the name of the petitioner also that he and others were assaulting her brother in the courtyard and thereafter the petitioner and others came out with lathi and rod and assaulted her and her mother brutally.

In the facts and circumstances as stated above, considering that the informant in her further statement has stated the names of Shankar Sah, Parsuram Sah and Savitri Devi that they took away her husband inside the house and started assaulting

and further considering detention of the petitioner now the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri D. Kumar, J.M. 1st Class, Begusarai in Sahebpur Kamal P.S. Case No. 267 of 2014/ G.R. No. 4391 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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