

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9822 of 2016

Arising Out of PS.Case No. -472 Year- 2015 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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Nand Kishor Sah, son of Late Yamuna Sah, R/o Village- Mangalpur, P.S.-
Bagaha (Palkhauli), Dist.- West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra, Advocate.

For the Opposite Party/s : Mr. Dashrath Mehta (APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 20-04-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Bagaha (Palkhauli) P.S. Case No. 472 of 2015 registered under
Sections 341, 323, 307, 379 and 406/34 of the Indian Penal Code.

The accusation is that petitioner being the brother-in-
law of Keshwar Sah, father of the informant, took the loan of
Rs.1,00,000/- with an assurance to return the same but the money
was not returned by the petitioner. When the informant along with
his father, brother and mother reached at the house of the
petitioner then they were assaulted by the petitioner and his family
members named in the F.I.R. At that time, Ravi Kumar, son of the
petitioner, gave knife blow on the stomach of the informant
whereas other accused caused injury through rod to the informant

and also took cash of Rs.5,000/- from the pocket of his father.

Learned counsel for the petitioner submits that, in fact, occurrence took place on 04.11.2015, in which, petitioner and other family members were assaulted by the informant of the present case, regarding which, Bagaha (Patkhauri) P.S. Case No. 442 of 2015 was instituted on 05.11.2015 on the basis of written report of wife of the petitioner but after three weeks on 22.11.2016 due to ulterior motive and only to save skin, the petitioner and others have falsely been implicated in this case.

Considering the aforesaid submissions, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M., Bagaha (West Champaran) in connection with Bagaha (Patkhauri) P.S. Case No.472 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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