

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43873 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -BANGAON District- SAHARSA

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Ramdeo Sah, S/o Ganeshi Sah, r/o Village Dholi, P.S. Bangaon, District-
Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party : Mr. Sri Umesh Lal Verma (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 15-12-2016 Heard learned counsel for the petitioner and the

learned counsel representing the State.

The petitioner seeks bail in connection with Bangaon
P.S Case No. 12 of 2016, registered for the offences punishable
under Sections 147, 148, 149, 341, 323, 324, 307, 380, 504 & 506
of the Indian Penal Code.

Allegedly, the petitioner assaulted Shambhu Sah by
lathi on his head with an intention to kill him causing rupture of
his head and bleeding.

Submission is of false implication and that there is
case and counter case, due to land dispute the occurrence has taken
place. The petitioner is suffering in custody since 30.07.2016. The
petitioner has also received injury vide Annexure-3 series, other
co-accused Anant Sah and Bechan Sah have been allowed regular



bail whereas Chanda Devi and Kanchan Devi have been allowed pre-arrest bail by another co-ordinate Benches of this Court and, as such, the petitioner also deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that grievous injury have been found on the person of Shambhu Sah on his head.

In the facts and circumstances stated above, considering the detention of the petitioner and further that there is no chance of tampering with the prosecution evidence and, as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned A.C.J.M. 1st Saharsa, arising out of Bangaon P.S. Case No. 12 of 2016, subject to the conditions that one of the bailors must be 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.)

Rajiv/-

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