

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43738 of 2017

Arising Out of PS.Case No. -32 Year- 2017 Thana -KUSHESHWARSTHAN District-
DARBHANGA

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1. RAJA SAH @ NITISH KUMAR SAHU @ RAJA SAHU, Son of
Kapileshwar Sah, Resident of Village- Mohim Khurd, Police Station-
Kusheshwar Asthan and District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 15-11-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner seeks bail in connection with Kusheshwar
Asthan P.S. Case No. 32 of 2017 for offences punishable under
Sections 341, 323, 324, 307, 387, 379 and 504/34 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that while he had come to his house after morning walk, the
petitioner along with two others came and started abusing and
demanded Rs. 100000/- as Rangdari and when he refused he



started assaulting the informant. The allegation upon the petitioner is that he hit him by a knife on the head of the informant.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and the injury has been found to be simple in nature and not on the vital part of the body. He submits that charge-sheet has already been submitted and the petitioner is languishing in judicial custody since 03.08.2017.

However, learned counsel for the informant vehemently opposes the prayer for bail stating therein that the petitioner and other co-accused inflicted knife blow on the informant.

Learned APP for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Biraul, Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 32 of 2017, subject to the conditions that:



- (1) Both bailors would be close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner
- (2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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