

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65813 of 2018

Arising Out of PS. Case No.-179 Year-2015 Thana- SATHI District- West Champaran

Suresh Sah Son of Sri Sakal Sah Residents of Village-Danial Parsauna,P.S.
Sathi,Distt.-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Sri Nityanand

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-11-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Sathi P.S. Case No. 179 of 2015 registered for the offences
punishable under Sections 147, 148, 149, 323, 324, 307, 379,
448, 504 and 302 of the Indian Penal Code.

Informant has alleged that on 17.08.2015 at about
5:00 P.M. when his brother was sitting at his door, petitioner
along with other co-accused, variously armed with lethal
weapons started abusing and assaulting him and thereafter
assaulted his family members and thereafter committed theft in
his house.

It has been submitted on behalf of the petitioner that
he is innocent and has committed no offence. He has been



falsely implicated in this case due to land dispute. Allegation of assaulting the deceased is on co-accused Md. Imroz @ Shammi Akhtar and Jahangir Mian. Allegation against petitioner is general and omnibus in nature. Police had not found case true against him and had not submitted chargesheet against him. He is in custody since 10.08.2018. It has been further submitted that similarly placed co-accused persons have been granted bail by another co-ordinate Bench of this court as contained in Annexure 4 series.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- VII, West Champaran at Bettiah in connection with Sathi P.S. Case No. 179 of 2015 with following conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every dated fixed by the court.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case diary, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Rajiv/Manoj-

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