

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10598 of 2019

Arising Out of PS. Case No.-304 Year-2017 Thana- BAUNSI District- Banka

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Dablu Sah, aged about 36 years (Male) Son of Suresh Sah, Resident of
Village and P.O.- Kushmaha, P.S.- Bounsi, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Y.V. Giri, Sr. Adv. Mr.Pranav Kumar, Adv.
For the Opposite Party/s :		Mr.Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-02-2019 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with
Bounsi P.S. Case No. 304 of 2017 for the offences punishable
under Sections 302, 34 of the Indian Penal Code and Section 27
of Arms Act.

The allegation in the present case is regarding the co-
accused persons, namely, Shekhar Sah, Shambhu Sah and Anil
Sah having assaulted the husband of the informant resulting in
his death and as far as the petitioner and one other accused
person, namely, Guddu Sah are concerned, they are said to have
exhorted the said three accused persons to assault the husband
of the informant.



The learned Senior counsel appearing for the petitioner submits that as far as the statement of Chanda Devi, the owner of the house where the assault has taken place, made under Section 164 Cr. P. C. is concerned, she has not even named the petitioner and co-accused Guddu Sah. It is submitted that the allegation of assault is upon three accused persons, who were inside the house. It is further submitted that though the petitioner is having a clean antecedent, however, he is accused in one case in which he is on bail. It is submitted that similarly situated co-accused Guddu Sah has already been granted bail by a coordinate Bench of this Court vide order dated 28.01.2019 passed in Cr. Misc. No. 78527 of 2018.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka in connection with Bounsi P.S. Case No. 304 of 2017.

(Mohit Kumar Shah, J)

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