

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21741 of 2019

Arising Out of PS. Case No.-512 Year-2018 Thana- MUFFASIL District- West Champaran

JITAN SAH Son of Amar Sah, Resident of village- Mirzapur, Police Station-
Bettiah Muffasil, District- West Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjay Kumar No 7, Advocate

For the Opposite Party : Mr.Umanath Mishra, Addl Public Prosecutor

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-04-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
09.01.2019 in connection with Bettiah Mufassil Police
Station Case No. 512 of 2018 for the offence alleged under
Sections 341, 342, 323, 324, 307, 326 and 34 of the Indian
Penal Code.

The prosecution case, as lodged by the informant
is that while he was sitting in his house at 8 PM on
19.6.2018 the petitioner called his son Vijay Kumar outside
and took him to the orchard along with his brother and
pierced Gupti in his eye. It has further been alleged that by



Panchayati the petitioner side patched up the matter and also promised to get the informant's son treated but after sometime no treatment was undertaken by the petitioner side.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and the informant's son and the petitioner were friends and due to hot discussion on the spur of moment such occurrence took place. He further submits that although the date of occurrence is 19.6.2018 FIR has been lodged on 25.9.2018 and no plausible explanation has been given for such delay.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations, the materials on record and that the petitioner bears no criminal antecedent as stated in paragraph 3 of the bail application, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Bettiah Mufassil Police Station Case No. 512 of 2018 to the satisfaction of learned Chief Judicial Magistrate, West



Champaran at Bettiah, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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