

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30416 of 2019**

Arising Out of PS. Case No.-41 Year-2009 Thana- SIWAIPATTI District- Muzaffarpur

Binod Sah, Male, aged about 50 years, Son of Late- Ram Chandra Sah,  
Resident of village- Ram Nagar, P.S.- Siwaipatti, District- Muzaffarpur  
(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Tejendra Sinha, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      04-07-2019                      Heard learned counsel for the petitioner and learned APP for  
the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302/120(b) of the Indian Penal Code and under Section 27 of the Arms Act.

There is allegation of making indiscriminate firing against the petitioner and other FIR named accused person.

No doubt- the deceased sustained altogether seven injuries on his person but no specific overt act has been attributed against the petitioner and having more or less. Similar allegation on co-accused Israfil Mian and Radhe @ Sonu and another have already been granted privilege of bail by another bench of this Court.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.02.2019 and quite innocent and has not committed any offence what so ever alleged in the FIR and has been falsely implicated due to dirty local politics.



On behalf of the State, it is submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, 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 Siwaipatti P.S. Case No. 41 of 2009 with Sessions Trial No. 390/2012 to the satisfaction of the learned Addl. District and Sessions Judge-10th, Muzaffarpur, subject to the 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 date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

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

**(Anjani Kumar Sharan, J)**

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