

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31509 of 2019

Arising Out of PS. Case No.-66 Year-2018 Thana- PARSAUNI District- Sitamarhi

BANNU SAH @ BANU SAH Son of Ramdhari Sah Resident of Village - Sundargama Ward no. 3 @ Sundargama Ward no. 3, P.S.- Parsauni, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-05-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 15.03.2019 in connection with Parsauni P.S. Case No. 66 of 2018 for offences punishable under Sections 341, 323, 324, 316, 379, 354, 447 and 34 of the Indian Penal Code.

The prosecution case as lodged by the informant is that eight days back, the informant's husband Laxmi Sah had a fight with some persons with regard to dues of money and on 27.09.2018 while she was alone in the house, the petitioner along with 4 others came and abused and started assaulting the informant. Specific allegation upon the petitioner is that he gave a knife blow on the nose of the informant which started bleeding



while other co-accused also assaulted the informant.

It has been submitted by the learned counsel for the petitioner that he bears no criminal antecedent and that informant's husband had taken a loan of Rs. 75,000/- which was not repaid and the informant along with her husband had assaulted the petitioner and his wife for which Complaint Case No. C1-1510 of 2018 was lodged and also Parsauni P.S. Case No. 77 of 2018 was lodged against the informant's side regarding some fraudulent sale deed. He submits that both have some civil disputes hence such false allegation has been leveled against the petitioner. It is further submitted that the injury alleged against the petitioner is not on the vital part of the body and the petitioner is languishing in judicial custody since two months.

However, learned APP for the State opposes the prayer for.

Considering the nature of allegations and that petitioner does not bear any criminal antecedent as stated in para-3 of the present application, let the 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 the learned Judicial Magistrate 1st Class, Sitamarhi in connection with Parsauni P.S. Case No. 66 of 2018



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

(Nilu Agrawal, J)

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