

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43234 of 2019

Arising Out of PS. Case No.-526 Year-2018 Thana- SAUR BAZAR District- Saharsa

ROSHAN SADA Son of Saheb Sada Resident of Village - Forsaha, P.S.-
Sourbazar, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 27-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 18.09.2018 has
filed the instant application for grant of bail in connection with
Sour Bazar P.S. Case No. 526 of 2018 (District- Saharsa)
registered for the offence punishable under sections
341,323,324,307, 379, 504 and 506 of the Indian Penal Code.

As per allegation in the FIR, the petitioner is
alleged to have given a knife blow on the cousin brother of the
informant namely, Shambhu Yadav. It is further alleged that the
petitioner was caught at the spot.

It is submitted by learned counsel for the petitioner
that allegations levelled in the F.I.R. is false and concocted. The
aforesaid Shambhu Yadav has not even been examined during



course of investigation. There is no recovery from the possession of the petitioner. The petitioner is in custody since 18.09.2018 and has no criminal antecedent. It is further alleged that on the one hand, it is alleged in the F.I.R that the petitioner was arrested on the spot and on the other hand, in course of investigation it transpired that petitioner was arrested from his house.

The application for bail was opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances including the fact of the petitioner being in custody since 18.09.2018, having no criminal antecedent and non-examination of injured Shambhu Yadav, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Sour Bazar P.S. Case No. 526 of 2018 (District- Saharsa).

(Partha Sarthy, J)

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