

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44209 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- SANGRAMPUR District- East
Champanan

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Bira Pandey Son of Late Hridyanand Pandey Resident of village -
Sangrampur Mathia, P.S.- Sangrampur, Dist.- East Champanan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Advocate
For the Opposite Party/s : Mr.Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 03.06.2019 has
filed the instant application for grant of bail in connection with
Sangrampur P.S. Case No. 105 of 2019 (District East
Champanan) registered for the offence punishable under
sections 341,323,325,504, 506 and 34 of the Indian Penal Code
to which subsequently section 308 of the IPC has been added.

As per the allegation in the FIR, the son of the
informant had gone to the house of the accused persons where
he stayed overnight. It is alleged that in the morning making
allegations of having committed theft, he was beaten up and
tortured. Subsequently, he was brought to the hospital for



treatment.

It is submitted by learned counsel for the petitioner that the allegations as leveled in the FIR are false and concocted and are not supported by the medical reports in which it is clearly mentioned of there being no sign of struggle. It is further submitted that the petitioner is an active member of the army and had come home, when he was falsely implicated in this case. He is in custody since 03.06.2019 and has no criminal antecedent.

It is submitted by learned counsel for the informant that the allegations against the petitioner are direct in nature and it is not a fit case for grant of bail especially taking into consideration that the son of the victim was not mentally normal.

The application for bail has also been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation and the petitioner being in custody since 03.06.2019, the Court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned Additional Chief Judicial
Magistrate 14, East Champaran, Motihari in connection with
Sangrampur P.S. Case No. 105 of 2019 (District East
Champaran)

(Partha Sarthy, J)

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