

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46500 of 2019

Arising Out of PS. Case No.-128 Year-2019 Thana- GARKHA District- Saran

SARBA SAH @ SHARVA SAH S/o Late Sri Kishun Sah R/o village- Jigna,
P.S.- Garkha, District- Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar
For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-07-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Garkha Police Station Case No. 128 of 2019, disclosing offences under Sections 147/341/323/324/326/504/34 of the Indian Penal Code.

The allegation against the petitioner is that he assaulted the mother of the informant on her head by means of iron-rod.

Learned Counsel for the petitioner submits that both the parties reside in the same village and there is dispute over passage. He further submits that injury caused to the mother of the informant, on the vital part of her body, has been found to be simple in nature. He further submits that similarly situated co-accused person has been granted bail by this Court by order,



dated 18.07.2019, passed in Criminal Misc. No. 44100 of 2019.

After having heard learned Counsel for the parties and taking into consideration the fact that the injury on the vital part of the body is simple in nature and there is case and counter case, I find it a fit case for grant of privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioner, Sarba Sah @ Sharva Sah, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 14th Additional Chief Judicial Magistrate, Saran, at Chapra, in connection with Garkha Police Station Case No. 128 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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