

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50308 of 2019

Arising Out of PS. Case No.-155 Year-2019 Thana- BEGUSARAI MUFFASIL District- Begusarai

PHUL CHANDRA SAH @ PHULCHAN SAH @ PHUL CHAND SAH Son
of Late Ram Khelawan Sah R/o Village- Saidpur, P.S.- Matihani, District-
Begusarai. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh, Adv
For the State : Mr.Tarun Prasad Mandal, APP
For the Intervenor : Mr. Sandip Kumar Gautam, Adv

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 22-08-2019 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 120(B)1,115,34 of the
Indian Penal Code.

Police is informant of this case. Petitioner-Phul
Chandra Sah @ Phulchan Sah @ Phul Chand Sah is full brother
of husband of Nutan Devi named in the FIR.

Allegation is that petitioner-Phul Chandra Sah
@ Phulchan Sah @ Phul Chand Sah was talking on mobile
phone with his brother-in-law-Arun Kumar and the talk revealed
that they were planning to commit murder of Nutan Devi.

Submission of learned counsel for the
petitioner is that in the FIR itself it is mentioned that husband of
Nutan Devi is a labour at Kolkatta and Nutan Devi is a Nurse.
Her activity with unknown male person was not acceptable to



the family members residing in the same house.

For that reason some altercation had taken place and false allegation has been levelled.

Learned counsel for the informant opposed the prayer for bail on the ground that one is prior to the present occurrence, the accused person had entered into the house and thrown away Nutan Devi from house for which Matihani P.S.Case No. 42 of 2019 was registered.

Considering the nature of allegation and nature of dispute, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Muffasil Police Station Case No.155 of 2019, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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