

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50329 of 2019**

Arising Out of PS. Case No.-5 Year-2017 Thana- MAINATAND District- West Champaran

Motilal Sah Son of Chhotelal Sah Resident of Village- Pipara Santpur, P.S.-
Mainatand, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Aditya Nath Jha, Advocate
For the State	:	Mr. Mukesh Kumar Singh, APP
For the informant	:	Mr. Sanjay Kumar No.7, Advocate Mr. Anant Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-08-2019 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

The petitioner seeks bail in a case registered under
Sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

Allegation is that the accused persons assaulted the
informant and petitioner gave garashi blow on the head of son of the
informant, who sustained injury and became unconscious. He was
taken to the Hospital for treatment.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 29.04.2019. Charge sheet has been
submitted in this case. There is no allegation of tampering of
witnesses alleged against the petitioner. The petitioner has falsely
been implicated in the present case. The informant happens to be the
Bhabhi of this petitioner. On the earlier occasion she had filed a case



for an offence under Section 498A of I.P.C. against her husband and the entire family members. The present case is the second attempt on behalf of the same informant, who has instituted a case against the petitioner and the entire family members. An affidavit has been filed on behalf of the father of the victim and the husband of the informant, where it has been stated that a false case has been instituted by his wife, who happens to be the informant of the present case. It is further submitted that no motive has been alleged for committing the alleged offence.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bettiah, West Champaran in connection with Mainatand P.S. case No.5 of 2017.

(Sudhir Singh, J)

Narendra/-

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