

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70461 of 2019

Arising Out of PS. Case No.-253 Year-2019 Thana- GHORASAHAN District- East
Champaran

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MAHESH KUMAR @ MAHESH SAH Son of Mishri Lal Sah Resident of
Village - Ghorasahan, Birta Chowk (tola Pakri and Turha Patii), P.S.-
Ghorasahan, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Lalan Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 19-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Ghorasahan P.S. Case no. 253 of 2019, registered under
Sections 341, 323, 324, 379, 504 and 506/34 of the Indian
Penal Code.

The accusation is that on 21.06.2019 at about 7.00
P.M., informant Nazama Khatoon was returning from the
market, in the way, nine persons named in the F.I.R., including
the petitioner, surrounded her and started to abuse. On protest,
Mahesh Sah (Petitioner) gave Farsa blow at her head then she
fell down. Thereafter, Shyambabu Sah started to press her neck
through leg, Dharmendra Sah also caused injury through fist
and slaps near her eyes and Sanjay Sah caused injury through



iron rod. At that time, Raj Kumar Sah snatched her gold chain.

Learned counsel for the petitioner submits that, in fact, husband of the informant had taken loan from co-accused Shyam Babu Sah, but he did not return the same. Thereafter, Panchayati was arranged in which petitioner was one of the panchayat members in which scuffle took place and informant sustained injury, but with ulterior motive, petitioner being the one of the Panchayat members has falsely been implicated in this case. Moreover, the injuries as found on the person of informant are simple in nature. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M. Sikarashtra at Dhaka in connection with Ghorasahan P.S. Case No. 253 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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