

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77248 of 2019

Arising Out of PS. Case No.-585 Year-2019 Thana- MADHEPURA District- Madhepura

Rajendra Sah,, S/o Late Jagdish Sah, Resident of Village- Sahugardh Hulas
Tola, Ward No.9, P.S.- Madhepura, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 01.08.2019 in a case registered for the offences punishable under Sections 302, 341, 323, 385, 307, 324, 448, 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Lal Mohar Sah submitted to the Station House Officer of Madhepura Town Police Station is to the effect that on 01.07.2019 at 3.00 P.M., co-accused Kumod Kumar, Pramod Kumar and petitioner, Rajendra Sah and 4-5 unknown from whom, one was identified as Sanjay Sah came along with co-accused Chandan Sah and co-accused Sudhir Sah, the house of the informant and demanded extortion of Rs.One lakh. On



protest being made, co-accused Kumod Sah abused the informant and assaulted with Dabia on the head of the wife of the informant, Bimla Devi and they took away a box containing jewellery worth of Rs.25,000/- and clothes when co-accused Pramod Sah resorted to fire and asked the informant side not to raise alarm. In the meantime, co-accused Chandrakala Devi came and snatched a gold locket and silver anklet from the wife of the informant and assaulted Bimla Devi, the wife of the informant with fists and slaps. Subsequently, Bimla Devi succumbed to the injury.

It is submitted by learned Senior counsel for the petitioner that the specific accusation of assault to the wife of the informant is against Kumod Sah and Chandrakala Devi. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR and they altogether entered into the house of the informant.

Considering the fact that the specific accusation of assault to the wife of the informant, who subsequently succumbed to the injury, is against Kumod Sah and Chandrakala Devi and investigation being concluded, coupled with the



statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 Additional Sessions Judge-III, Madhepura in connection with Sessions Trial No. 241 of 2019, arising out of Madhepura P.S. Case No. 585 of 2019.

(Dinesh Kumar Singh, J)

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