

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3383 of 2020

Arising Out of PS. Case No.-124 Year-2019 Thana- DEODHA District- Madhubani

JAI KISHOR SAH @ NAND KISHOR SAH Son of Late Maheshwar Sah
Resident of Village - Pithwatol, P.S. - Deodha, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babita Kumari

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Deodha P.S. Case No. 124 of 2019 for the offence punishable under
Sections 341, 323, 307, 504, 290/34 of the Indian Penal Code.

The allegation is regarding the petitioner having had
altercation with the son of the informant, whereafter the petitioner is
alleged to have abused the son of the informant and in the meantime,
the co-accused person, namely, Shyam Sah had arrived there and
fired gun shots on the son of the informant, resulting in firearm
injury being inflicted upon the son of the informant, which had
subsequently led to his death.

The learned counsel for the petitioner submits that the
allegation of firing gun shot has been levelled on the co-accused
person, namely, Shyam Sah, as per the FIR, and as far as the
petitioner is concerned, he is stated to have only abused the son of



the informant, hence the petitioner is entitled to the privilege of bail. It is further submitted that the petitioner has been falsely implicated in the present case, though he is accused in one other case but he is on bail in the said case and is languishing in custody since 11.09.2019.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the petitioner coupled with the fact that the allegation of firing gun shot has not been levelled against the petitioner but on the co-accused person, namely, Shyam Sah, which has resulted in the death of the son of the informant, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise Act, Madhubani in connection with Deodha P.S. Case No. 124 of 2019 .

(Mohit Kumar Shah, J)

Tiwary/-

U			
---	--	--	--

