

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13265 of 2020

Arising Out of PS. Case No.-84 Year-2019 Thana- ANDHRAMATH District- Madhubani

Birju Sah @ Birju Sahu Son of Late Shibu Sah Resident of Village - Badhua
@ Baghua, Police Station - Andhramath, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Thakur, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 03-03-2020

The petitioner seeks bail in connection with Andhramath P.S. Case No. 84 of 2019 dated 29.05.2019 instituted for the offences under Sections 147, 148, 149, 302, 307, 427 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is said to be in custody since 23.10.2019 and does not have criminal antecedents.

It appears from the FIR that there is a dispute over a plot of land for which an occurrence took place in which one person was killed and one was left injured. One Dev Krishna Mandal is the deceased who is said to have been killed by co-accused Sundar Lal Sah. The injured person is Ganga Ram Mandal who is said to have been fired at by co-accused Rabindra Sah. As far as the petitioner is concerned, he is only said to have exhorted



the crowd to kill the informant. The informant has remained unhurt.

Learned counsel for the petitioner submits that because of the competing claims over the plot of land in question, an occurrence took place in which almost 13 persons have been made accused including the petitioner. The petitioner though has been alleged to be the order giver, but there is no specific act of assault attributed against him.

Considering the aforesaid facts and the period of custody of the petitioner, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate Ist Madhubani in connection with Andhramath P.S. Case No. 84 of 2019.

(Ashutosh Kumar, J)

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