

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13058 of 2020

Arising Out of PS. Case No.-131 Year-2019 Thana- MIRGANJ District- Purnia

Raj Kishor Sah S/o Late Jagdish Sah R/o village- Damauli Kadam Tola, P.S.-
Mirganj, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-03-2020

Heard learned counsel for the parties.

This application for regular bail arises out of Mirganj P.S. Case No. 131 of 2019, disclosing offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

Heard learned counsel appearing on behalf of the petitioner and learned counsel representing the informant. From the First Information Report, it appears that there was some dispute already existing between the informant and persons named in the F.I.R. Allegedly, on the date of occurrence, at the instance of co-accused Pavitri Devi and other persons started assaulting the informant. It is alleged that one co-accused Sajan Kumar Sah made an unsuccessful assault with the sword in the



informant's neck and when his relative Vipin Kumar came to his rescue, the accused persons started assaulting him. It is alleged that the petitioner had caught hold of the said Vipin Kumar, when co-accused Sajjan Kumar Sah made an assault with a sword in his neck, which resulted into grievous injuries. It is alleged that the accused persons snatched some valuables also.

Learned counsel appearing on behalf of the petitioner has relied on an order of this Court dated 29.02.2020, whereby Umesh Kumar Sah, co-accused has been allowed regular bail.

Learned counsel appearing on behalf of the informant has opposed the prayer for bail and has submitted that since there is specific allegation against the petitioner of having caught hold of the victim Vipin Kumar, he doesn't deserve the privilege of regular bail.

Be that as it may, it is evident on reading of the F.I.R. that the case of the petitioner cannot be distinguished from the case of Umesh Kumar Sah, co-accused, who has been allowed regular bail by this Court by order dated 29.02.2020, passed in Criminal Miscellaneous No. 13764 of 2020.

Considering the above submission, this application is allowed.

Let the petitioner above named 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 the learned Chief Judicial Magistrate, Purnea in connection with Mirganj P.S. Case No. 131 of 2019.

(Chakradhari Sharan Singh, J)

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