

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17351 of 2020**

Arising Out of PS. Case No.-323 Year-2019 Thana- SIWAN CITY District- Siwan

TENI SAH Son of Mahesh Sah Resident of Village - Aagu Chhapra, P.S.-
Siwan Town, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER**

3 06-07-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Siwan
Town P.S. Case No. 323 of 2019 for the offence under
Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian
Penal Code.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, the
occurrence took place on 18.05.2019 whereas the written
complaint has been filed on 26.05.2019 after lapse of seven
days without explaining the plausible delay which creates
doubt over the prosecution version. The petitioner is rotting



in judicial custody since 03.01.2020.

Learned A.P.P. for the State has opposed the prayer for bail and submitted that there is direct allegation of giving sword blow on the head of the informant against the petitioner and the injury also supports the allegation levelled in the F.I.R, which is evident from paragraph-23 of the case diary.

Considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of this petitioner has been rejected.

(Arvind Srivastava, J)

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