

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27737 of 2020

Arising Out of PS. Case No.-144 Year-2019 Thana- MORKAHI District- Khagaria

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Ghutar Sada Son of Late Munilal Sada Resident of Village - Milki Chiraiya,
P.S. - Chiraiya, District - Saharsa. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-11-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The instant application for regular bail has been filed by the petitioner in connection with Morkahi P.S. Case no. 144 of 2019 registered for the offence punishable under sections 307, 147, 148, 149, 341, 342, 323, 386, 379 and 506 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, while the informant along with his father were harvesting his agricultural land, it is stated that the three named accused persons i.e. Ramanand Sada, Dhaneshwar Sada and brother-in-law of Ramanand Sada along with 5 to 6 other persons came variously armed and started to demand Rangdari of Rs. 50,000/-. On the informant opposing the same, it is stated that Ramanand Sada fired hitting the informant on his right shoulder. At this time the brother-in-law of Ramanand Sada struck the informant with lathi on his head.



It is submitted by learned counsel for the petitioner that neither the petitioner is named in the FIR nor is he related to Ramanand Sada. Further it is submitted that the allegations is basically on Ramanand Sada and his brother-in-law and not on this petitioner. The name of the petitioner transpired as an afterthought in course of investigation. The petitioner is in custody since 24.12.2019 and has no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above including that the petitioner not being named in the FIR, his not being related to Rameshwar Sada together with the petitioner being in custody since 24.12.2019, this Court is inclined to enlarge the petitioner on bail. Let the petitioner be enlarged on bail on his furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Khagaria in connection with Morkahi P.S. Case no. 144 of 2019.

(Partha Sarthy, J)

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