

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31341 of 2020

Arising Out of PS. Case No.-179 Year-2019 Thana- ALAMNAGAR District- Madhepura

Dhiraj Sah Son of Rangil Sah Resident of Village- Alam Nagar, Ward No. 7,
P.S.- Alam Nagar, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-12-2020 Heard Mr. Dr. Sanjay Kumar Singh, learned
counsel for the petitioner and Mr. Ajit Kumar, learned
APP for the State.

The petitioner, who is in custody since
18.11.2019, seeks bail in connection with Alam Nagar
P.S. Case No. 179 of 2019 dated 08.07.2019 instituted
for the offences under Sections 147, 148, 149, 341,
323, 324, 307, 384, 354, 379 and 302 of the Indian
Penal Code.

It has been submitted on behalf of the
petitioner that from the bare perusal of the FIR, it would
appear that the deceased who is the father-in-law of the
informant was first assaulted by one Khushi Lal Sah and
thereafter the petitioner and another are also said to
have assaulted him. The post-mortem report of the
deceased reveals that he had received only one injury on



his head which can be attributed to Khushi Lal Sah and not to the petitioner.

The prayer for bail of Khushi Lal Sah has been rejected by a Bench of this Court vide order dated 18.03.2020 passed in Cr. Misc. No. 83868 of 2019; but by the same order, two other accused persons viz. Rangil Sah and Rishideo Kumar @ Yogendra Sah have been granted bail. The petitioner is also alleged to have assaulted other family members of the family of the deceased but they have received simple injuries.

It has also been submitted on behalf of the petitioner that because of the construction of a thatched roof, the parties had fought in the past and the present accusation is nothing but reaction to the aforesaid occurrence.

Regard being had to the nature of accusation against the petitioner and his period of custody, 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, Madhepura in connection with Alam Nagar P.S. Case No. 179 of 2019.

(Ashutosh Kumar, J)

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