

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31270 of 2020

Arising Out of PS. Case No.-88 Year-2020 Thana- CHHATAPUR District- Supaul

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JAI BALLAV SAH @ JALIM SAH Son of Late Laxman Sah Resident of
Village- Mohanpur, Ward No. -03, P.S.- Chhatapur, District- Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr.Arun
For the State	:	Mr. Jitenda Kumar Singh, APP
For the Informant	:	Mr. Nafisuzzoha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-12-2020 Due to COVID-19 Pandemic, the matter is being taken
up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 323, 307, 324, 341, 504, 506/34 of the
Indian Penal Code in which section 302 IPC was added later on.

The prosecution case in short is that when the informant
protested construction over a sight, the accused persons badly
assaulted the informant and his family members due to which one of
the son of the informant died in course of treatment.

It has been submitted on behalf of the petitioner that the



petitioner is in custody since 22.5.2020 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. Initially, the case was instituted for an offence under Section 307 IPC. Subsequently, in course of treatment, the deceased died and section 302 IPC was added. The petitioner is said to be order giver. There is no allegation of assault alleged against the petitioner. No injury is attributed against the petitioner. The main allegation of assault is against co-accused Kamal Sah who is said to have assaulted the deceased.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Supaul in connection with Chhatapur P.S. Case No. 88/2020.

(Sudhir Singh, J)

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