

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32879 of 2020

Arising Out of PS. Case No.-116 Year-2017 Thana- GHOGHARDIHA District- Madhubani

PAWAN SAH Son of Sant Lal Sah Resident of Village - Chhajana, P.S.-
Laukahi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-12-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Ghoghardiha P.S. Case No. 116 of 2017 registered under sections 386, 387, 323, 341, 504, 506 and 34 of the Indian Penal Code.

As per allegation in the FIR it is stated that nine accused persons came and assaulted the informant's Supervisor, beat him up with butt of the gun and threatened him of being killed in case he did not close the work within seven days.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. The name of the petitioner transpired in the confessional statement of co-accused Ram Sevak Yadav, who has himself been enlarged on bail vide order dated 7.1.2019 (Annexure-2) passed in Cr. Misc. No.



58293 of 2018. It is further submitted that the alleged confessional statement of the petitioner is made before the police which has no evidentiary value. The false implication of the petitioner is because of the pendency of large number of cases against him. There is no other material which has transpired in course of investigation. He is in custody since 18.2.2019 and investigation in the case has concluded.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the grant of bail to co-accused Ram Sevak Yadav and the petitioner being in custody since 18.2.2019, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Ghoghardiha P.S. Case No. 116 of 2017 (G.R. No. 1678 of 2017) on 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, Jhanjharpur.

(Partha Sarthy, J)

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