

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2612 of 2020

Arising Out of PS. Case No.-84 Year-2019 Thana- ANDHRAMATH District- Madhubani

VIDYA NAND SAHU @ VIDYA NAND SAH Son of Late Gangai Sah
Resident of Village - Kuriban, P.S.- Laukhui @ Laukahi, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Thakur

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 20-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody seeks bail in a case
registered under Sections 147, 148, 149, 302, 307, 427 and 504
of the Indian Penal Code and 27 of Arms Act.

Informant has alleged in his written complaint that
FIR named accused variously armed with deadly weapons
alongwith five unknown persons came on four wheeler and two
wheeler and started demolishing his house which was opposed
by him thereafter they threatened and started abusing and Birju
Sah instigated other accused to kill them and when his
neighbour Dev Krishna Mandal and Jay Lal Mandal came to
rescue them, accused Sunder Lal Sah fired from his pistol and
thereafter Ravindra Sah also fired from his gun on Ganga Ram



Mandal, as a result of which they suffered firearm injuries, subsequently, they fled away leaving their car and injured were admitted to hospital where Dev Krishna Mandal succumbed to his injuries.

It has been submitted on behalf of petitioner that there is no specific allegation against petitioner of any overt act or any assault or making firing. Allegation against petitioner is that he was also one of the members of unlawful assembly. Charge sheet has already been submitted. Petitioner has no criminal antecedent and is in custody since 30.05.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Andheramath P.S. Case No. 84 of 2019 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence



on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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