

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16785 of 2021

Arising Out of PS. Case No.-520 Year-2020 Thana- MASHRAK District- Saran

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BASAWAN SAH @ BASHAWAN SAH @ WASAWAN SAH Son of Suraj
Sah Resident of Village - Chainpur, P.S.- Masarakh, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anant Kumar Bhaskar

For the Opposite Party/s : Mr.Dilip Kumar No.1

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Masarakh P.S. Case No.520 of 2020 registered for the offence punishable under Sections 341/ 323/ 307/ 379/ 504/ 354/ 506/34 of the Indian Penal Code.

The prosecution case in short is that informant's house was surrounded with flood water and she has taken shelter in house of other persons. She got information that her house has



collapsed and some bricks fell in the land of Birendra Sah. When she reached there, the petitioner and his wife abused and assaulted the informant. It is alleged that when husband of the informant came to save her, the petitioner assaulted him by iron rod on his head. They threatened the informant and petitioner's wife snatched silver chain from the neck of the informat.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has been falsely implicated in the present case. There is a case and counter-case between the parties. The injury of the husband of the informant is simple in nature. As per the injury report none of the injury is grievous in nature, in fact both sides have sustained injuries. The petitioner has no criminal antecedent and has been languishing in custody since 25.09.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, since there is case and counter case between the parties and the petitioner has undergone custody of more than eight months, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of the learned Judicial Magistrate, Saran at Chapra
in connection with Masarakh P.S. Case No.520 of 2020.

(Anjani Kumar Sharan, J)

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