

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24261 of 2021

Arising Out of PS. Case No.-70 Year-2020 Thana- JANTA BAZAR District- Saran

SURENDRA SAH, Son of Late Bisambhar Sah, Resident of Village - Khedu Chapra, P.S.- Janata Bazar, District – Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Rashmi, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-10-2021 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks bail in Janata Bazar P.S. Case No.70 of 2020, registered for the offences punishable under Sections 341, 323, 324, 504, 379, 506 and 34 of the Indian Penal Code. Later on, Section 302 of the Indian Penal Code was added.

Allegation against the petitioner is that the petitioner along with other co-accused persons snatched money from the pocket of the informant and his father. When the informant made protest, Surendra Sah (petitioner) and Manoj Sah assaulted the father of the informant with a sharp edged weapon on his head due to which the father of the informant fell down on the ground in an injured condition.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. There is specific allegation that the petitioner and Manoj Sah assaulted the father of the informant with a sharp edged weapon on his head but from perusal of the post mortem report, it appears that the deceased died due to cronio cerebral damage resulting from head injury caused by hard and blunt impacts. It is submitted that the petitioner is in custody since 05.07.2020 and he has got no criminal antecedent as stated in paragraph 3 of the bail petition.

Learned counsel for the State opposed the prayer for bail of the petitioner and submits that there is ample evidence to show the involvement of the petitioner in the alleged offence. The witnesses have also support the prosecution case.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected.

However, the petitioner may renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J.)

Sanjay/-

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