

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36051 of 2021

Arising Out of PS. Case No.-223 Year-2020 Thana- PIPRA District- East Champaran

1. Lila Devi, W/o Chhabila Sah, R/o village Rasmandal, P.S. Pipra, District East Champaran.
2. Vikash Kumar, S/o Late Bhushan Sah, R/o village Rasmandal, P.S. Pipra, District East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Abhishek Kumar, Advocate
For the Opposite Party/s :	Mr. Madhurendra Kumar
	Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-10-2021 Heard learned counsel for the parties.

Petitioners seek bail in Pipra P.S. Case No.223 of 2020, registered for the offences punishable under Sections 341, 323, 324, 302 and 34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners caught hold the son of the informant and Chhabila Sah gave a *farsa* blow on the head of the son of the informant with an intention to kill due to which the son of the informant sustained cut injury on his head.

Learned counsel for the petitioners submits that there is no specific allegation against the petitioners and the petitioners are innocent and have falsely been implicated in the present case. As per the FIR, the petitioners are only alleged to have caught hold the son of the informant, namely, Surendra Sah and co-accused,



Chhabila Sah gave a *farsa* blow on the head of Surendra Sah and later on, during the course of treatment, the son of the informant died. It is further submitted that co-accused, Gajanti Devi has already been granted bail by a co-ordinate Bench of this Court vide order dated 08.02.2021, passed in Cr. Misc. No.40470 of 2020. Charge sheet has already been submitted in this case. The petitioners are in custody since 21.12.2020 and they have got no criminal antecedent as stated in paragraph 3 of the bail petition.

Learned counsel appearing on behalf of the State and the informant opposed the prayer for bail of the petitioners and submitted that there are sufficient materials in the case diary to show the involvement of the petitioners in the alleged offence.

Considering the fact that the only allegation against the petitioners is of catching hold the son of the informant, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Pipra P.S. Case No.223 of 2020.

(Anjani Kumar Sharan, J.)

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