

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28118 of 2021**

Arising Out of PS. Case No.-88 Year-2020 Thana- TIKAPATTI District- Purnia

JAY KANT SAH @ RAJESH KR. SAH S/O- Vijay Sah R/O- Jamdaha, P.S.-
Katoriya, Distt. - Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 07-12-2021 Heard the learned counsel appearing for the petitioner
and the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with
Tikapatti P.S. Case No. 88 of 2020 for the offence punishable
under Section 394 of the Indian Penal Code.

The allegation is regarding the accused persons having
hired the tempo of the informant and while they were
travelling on the same, they had stopped the tempo on the way
and had assaulted the informant, whereafter they had fled
away along with the tempo.

The learned counsel for the petitioner has submitted that
the petitioner has not been named in the FIR and his name has
transpired in the present case only on suspicion on account of



being the brother-in-law of the co-accused person namely Jyotish Sah. It is further submitted that the petitioner is languishing in custody since 24.11.2020.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, apart from the fact that there is no direct allegation which has been leveled against the petitioner, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail upon him furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnia in connection with Tikapatti P.S. Case No. 88 of 2020.

(Mohit Kumar Shah, J)

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