

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32041 of 2021

Arising Out of PS. Case No.-182 Year-2019 Thana- JALALPUR District- Saran

SIPAHI SAH Son of Late Sharvan @ Late Rukhan Sah Resident of Village - Sarvi Sarai, P.S.- Jalalpur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Prabhat, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-12-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 307 and other sections of the Indian Penal Code.

As per the prosecution case, the petitioner is stated to have assaulted the cousin brother of the informant namely Ram Kishore Singh and Vishal Kumar Singh.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The injuries attributed to this petitioner have been found to be simple in nature. The petitioner is in custody since 2.2.2021 and has no criminal antecedent. Charge sheet has been submitted in the case.

It is submitted by learned counsel for the petitioner



that a typing error has occurred in page 1 of the petition wherein the age of the petitioner has been stated as 65 years instead of the correct 35 years.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named in the FIR but there is direct allegation of overt act against him.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the simple nature of injury mentioned in the injury reports and the petitioner having remained in custody for over 10 months, the Court directs the petitioner to be enlarged on bail in connection with Jalalpur P.S. Case no. 182 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XIII, Saran at Chapra.

(Partha Sarthy, J)

Prakash/-

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