

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47606 of 2021

Arising Out of PS. Case No.-137 Year-2020 Thana- GHORASAHAN District- East Champaran

HAZARILAL SAH S/O Late Devilal Sah R/o Village - Champapur koeria,
P.S. - Ghorasahan, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 15-12-2021 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioner seeks bail in a case for the offence registered under Sections 147, 148, 149, 341, 323, 324, 337, 338 & 302 of the Indian Penal Code.

Earlier prayer for bail of the petitioner was rejected taking into account that the petitioner gave brick blow on the head of the deceased.

A report was called for from the court below. It has been reported that out of 9 prosecution witnesses, only one witness has been examined and the trial is likely to be concluded within a period of one year.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner



is in custody since 18-04-2020. He is aged about 77 years. There is no chance of the petitioner to abscond. He will appear in court below on each and every date. No deadly weapon is said to have been used by the petitioner in course of the occurrence. The petitioner had no intention to commit murder of the deceased. There is admitted land dispute between the parties.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sikrahana at Dhaka Motihari, East Champaran in connection with Ghorasahan P.S. Case No. 137 of 2020.

It is made clear that the petitioner will appear in the court on each and every date. If he makes himself absent for two consecutive dates, the court below will be at liberty to cancel the bail bond of the petitioner.

(Sudhir Singh, J)

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