

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35457 of 2020

Arising Out of PS. Case No.-61 Year-2020 Thana- JADOPUR District- Gopalganj

Pyayag Sah, male aged about 62 years, son of Mohan Sah, R/V- Hariharpur,
P.S-Jadopur / Yadopur, Dist- Gopalganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Singh

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-01-2021 Heard Mr. Jitendra Kumar Singh, learned counsel for
the petitioner and Mr. Akshay Lal Pandit, learned counsel
appearing for the State.

Petitioner seeks regular bail in connection with
Jadopur / Yadopur P.S. Case No. 61 of 2020 registered for the
offence under Section 341, 323, 302, 504, 506, 34 of the I.P.C.

The allegation as per the First Information Report is
that the petitioner along with other accused persons assaulted
the father of the informant by means of “lathi” and pushed him
in a ditch.

Learned counsel for the petitioner submits that there is
land dispute between the parties and altogether 07 persons have
been made accused in this case including the petitioner, who is
about 62 years of age. Learned counsel further submits that the



allegation against the petitioner is general and omnibus in nature and from perusal of the post-mortem report it would be evident that the fardbyan was recorded on 15.05.2020 at about 4:55 P.M. and the doctor received the dead body within 01 minute at about 4:56 P.M. Learned counsel further submits that only one injury, which is swelling in the temporal region of the head of the deceased was found during the course of post- mortem and no other injury has been found on the person of the deceased. Learned counsel further submits that there is case and counter case also inasmuch as Yadopur / Jadopur P.S. Case No. 62 of 2020 has been lodged from the side of the petitioner against the informant and others on 15.05.2020 itself. Learned counsel further submits that petitioner is in custody since 19.07.2020 and charge sheet has already been submitted against the petitioner and there is no apprehension that the petitioner will abscond or tamper with the evidence. Learned counsel assures that the petitioner will co-operate in the trial.

Having regard to the submissions made by the parties and taking into consideration the materials available on record , the fact that there is land dispute between the parties, the petitioner is aged about 62 years and charge sheet has already been submitted in this case, I am inclined to grant regular bail to



the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj / court concerned in connection with Yadopur / Jadopur P.S. Case No. 61 of 2020.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

