

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37255 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- BAIRIYA District- West Champaran

Raj Kumar Sah, S/o Munib Sah @ Manish Prasad, Resident of Village-
Bherihari Tola, Chardwalli, P.S.- Sathi, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 23-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Bairiya
P.S. Case No.03 of 2020 for the offence punishable under
Sections 384, 386, 506 of the Indian Penal Code.

The informant has alleged that he received a
telephonic call. The caller has said that earlier he had sent a man
to kill the informant, who also shot at the informant, but he
remained alive and the shooter was forwarded to jail custody. A
demand of *Rangdari* of Rs.5 lacs is also alleged.

It is submitted that the petitioner has no concern with
the mobile phone from which the alleged call was received by
the informant. The petitioner bears three criminal antecedents
and his name has been dragged in this case due to village



politics. The mobile phone in question and its SIM card are in the name of Bhulai Pal and his younger brother Chhotu Pal, respectively. They in order to save themselves have stated about the petitioner using the mobile phone. The petitioner has voluntarily surrendered before the court and is in custody since 01.02.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 the learned Additional Chief Judicial Magistrate, 1st, West Champaran, in connection with Bairiya P.S. Case No.03 of 2020, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so



on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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