

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38951 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- HAYAGHAT District- Darbhanga

Raju Sah @ Rajo Sah Son of Shri Dhanik Sah Resident of Village- Badaki
Manopur, P.S.- Hayaghat, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kumar, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh no.1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 20-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, while the informant had gone out to earn his livelihood, it is stated that over a minor dispute, the petitioner and his father abused and assaulted the wife of the informant leading to her death.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the F.I.R. are false and concocted. The petitioner has been falsely implicated in the case. Even as per the allegations contained in the FIR the altercation/fight was as a result of sudden provocation between



the parties and no weapon was used. Coaccused Dhanik Sah has been enlarged on bail vide order dated 16.11.2020 (Annexure-2) passed in Cr. Misc. no.22490 of 2020. The petitioner has no criminal antecedent and is in custody since 23.5.2020. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the petitioner having remained in custody for more than 1 year 3 months and the coaccused having been enlarged on bail, the Court directs the petitioner to be enlarged on bail in connection with Hayaghat P.S. Case no. 28 of 2020 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 9th Additional Chief Judicial Magistrate, Darbhanga.

(Partha Sarthy, J)

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