

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27084 of 2021

Arising Out of PS. Case No.-223 Year-2020 Thana- PIPRA District- East Champaran

CHHABILA SAH Son of Shankar Sah Resident of Village - Rasmandal, P.S.-
Pipra, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Abhishek Kumar, Advocate
For the Opposite Party/s :	Mr. Madhurendra Kumar, Advocate
	Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 27-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 21.12.2020, seeks
regular bail in connection with Pipra P.S. Case No. 223 of 2020
registered for offences punishable under Sections 341, 323, 324
and 302/34 of the Indian Penal Code.

Prosecution case, in brief, is that the informant
namely, Shivnath Sah filed a written report before S.H.O., Pipra,
alleging therein that on 24.06.2020, while the marriage ritual of
the daughter of his Patidar namely, Bunnilal Sah was going on



in the presence of informant and other family members, Chhabila Sah (petitioner) along with other co-accused was indulge in assaulting Surendera Sah variously armed with iron rod and *farsa*. It is specifically alleged in the F.I.R. that the Chhabila Sah has used *farsa* blow on the head of the Surendra Sah (deceased).

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in this case. He further submits that there is no direct allegation against the petitioner and he is in custody since 21.12.2020.

Learned counsel appearing on behalf of the informant along with learned A.P.P. for the State submits that there is direct allegation against the petitioner that he has assaulted with *farsa* on the head of the deceased (Surendra Sah) and the said fact has also corroborated from the post-mortem report of the deceased which confirms that only one injury has been found and in view of the direct allegation made in the F.I.R., the petitioner above named is not entitled to be enlarged on bail.

Considering the above mentioned facts and circumstances of the case and perusal of the F.I.R. and the case diary, I am not inclined to enlarge the petitioner on bail.



Accordingly, the present bail application is dismissed
as rejected.

(Purnendu Singh, J)

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