

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40302 of 2021

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

=====

Samnath Sah @ Shyamnath Sah S/O Hajari Sah R/O Village - Champapur
Koiriya, P.S. - Ghorasahan, District - East Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar
For the Opposite Party/s : Mr. Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 147,
148, 149, 341, 323, 324, 337, 338 and 302 of the Indian Penal
Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that while his father was coming back from his shop
when all the accused persons including the petitioner started
pelting stones on him and even assaulted and when the
informant tried to intervene, he was also assaulted. It is next
alleged that his father was assaulted by farsa by Ram Nath Sah



and Hajari Lal Sah, on account of which, he died during the course of treatment.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case on account of land dispute and being brother of Ram Nath Sah. It is next submitted that even presuming what has been alleged is true in the F.I.R. without admitting, then the allegation of assault is against Ram Nath Sah and Hajari Lal Sah and as far as this petitioner is concerned, he is alleged to have pelted stones at the father of the informant and the informant and also assaulted the informant, but there is no injury report of the informant on record.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ghorasahan P. S. Case



No.137 of 2020, subject to the conditions laid down under
Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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