

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63341 of 2021

Arising Out of PS. Case No.-215 Year-2019 Thana- KHAJAULI District- Madhubani

AMAR NATH SAH @ AMAR NATH SAHU Son of Kamlesh Sah @ Ram
Kalesh Sah Resident of Village- Bela Kothi, Ward No.5, P.S.- Kahajauli,
District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	M/s Gagandeo Yadav, Ravi Prakash, Advocates
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha, APP
For the Informant	:	Mr. Pranav Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-05-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for
grant of regular bail in a case registered under sections 307,
341 and 324 of the Indian Penal Code.

As per the prosecution case, it is stated by the
informant that he received information from his mother of his
father having been shot. On inquiry it transpired that
unknown accused persons had shot several times at his father
seriously injuring him.

It is submitted by learned counsel for the petitioner
that the FIR was registered against unknown. The name of the
petitioner transpired in the confessional statement of Santosh



Sah made before police which is inadmissible. Even as per the material that has transpired in course of investigation, Santosh Sah is said to be the person who fired on the father of the informant. Chargesheet has been submitted in the case and cognizance has been taken. The petitioner is in custody since 6.9.2021.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the petitioner actively participated in the occurrence. It was the petitioner who dashed his motorcycle to the father of the informant subsequent thereto co-accused Santosh Sah fired on him.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation, Santosh Sah being the main person who fired on the father of the informant and the petitioner having remained in custody for 8 months, the petitioner is directed to be enlarged on bail in connection with Khajouli P.S. Case no. 215 of 2019 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 Judicial



Magistrate 1st, Madhubani.

(Partha Sarthy, J)

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