

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 59337 of 2022

Arising Out of PS. Case No.-287 Year-2018 Thana- GHORASAHAN District- East
Champaran

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AWADHESH SAH @ AVADHESH KUMAR Son of Rambilash Sah @
Ramvilash Prasad @ Ram Vilash Sah Resident of Village - Kaswa Kadamwa,
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. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-11-2022

Heard learned counsel for the parties.

The petitioner has renewed his prayer for grant of regular bail in a case registered under sections 307, 341, 342, 120B & 34 of the Indian Penal Code and section 27 of the Arms Act.

The earlier application for bail of the petitioner was rejected vide order dated 7.3.2022 (Annexure-1) passed in Cr. Misc. no. 46513 of 2021.

As per the prosecution case, the petitioner is said to have fired from his gun hitting the informant in his stomach.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. In the earlier order of rejection dated 7.3.2022, liberty was granted to



the petitioner to renew his prayer for bail after framing of charge. Referring to the order of the learned Court below rejecting the prayer for bail of the petitioner, it is submitted that from page no. 2 of the said order dated 24.8.2022 it would be evident that charge has been framed against the petitioner.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner having remained in custody since 9.9.2020, liberty granted to the petitioner in the earlier order of rejection dated 7.3.2022 and charge having been framed in the learned trial court, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 227 of 2022 (arising out of Ghorasahan P.S. Case no. 287 of 2018) 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 XIIth Additional Sessions Judge, East Champaran, Motihari.

(Partha Sarthy, J)

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