

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1535 of 2022**

Arising Out of PS. Case No.-236 Year-2021 Thana- MAHESI District- East Champaran

BABULAL SAH Son of Late Shivnath Sah Resident of Village- Bishambha-
pur, P.S.- Mehsi, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhurendra Kumar, Advocate
For the Opposite Party/s	:	Mr. Ganesh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 11-04-2022 Heard learned counsel for the parties.

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

As per the prosecution case, the eighteen named accused persons including the petitioner herein are said to have come variously armed. It is further stated that on the orders of the petitioner, his sons assaulted the husband of the informant with a farsa leading to serious injuries.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is case and counter case between the parties. The manner of occurrence is other than what has been narrated in the FIR. Even accepting the contents of the FIR for the sake of argument, the



petitioner is alleged to be the order giver. No overt act has been alleged against him. He is in custody since 18.9.2021 and charge sheet has been submitted in the case.

It is further submitted by learned counsel for the petitioner that a supplementary affidavit has been filed stating about the marriage of the son of the petitioner scheduled to be held on 17.4.2022.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR wherein the petitioner is said to be the order giver together with the petitioner having remained in custody for more than 6 months and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Mehshi (J.B.C O.P) P.S. Case no. 236 of 2021 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 A.C.J.M, VIth, Motihari, East Champaran.

(Partha Sarthy, J)

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