

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5906 of 2023

Arising Out of PS. Case No.-330 Year-2021 Thana- CHHATAUNI District- East Champaran

RAJ KUMAR SAH @ BHUIYA Son of Praful Chand Sah @ Prafull Chandra
Saha R/v- Chhatauni Bangali Colony No. 2, P.S.- Chhatauni, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Madhuri Lata

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 08-05-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Sessions Trial No. 1290 of 2022 arising out of Chhatauni P.S. Case No. 330 of 2021, registered for the offences punishable under Sections 394, 302 of the IPC, charge-sheet has been submitted u/s 396 of the IPC.

As per allegation, the father of the informant was living in his ancestral house and to look after him, a servant namely Raushan Kumar (co-accused) was deputed. He came into contact with anti-social elements. On 26.05.2021, at about 8:21 pm, Raushan Kumar called the brother of the informant and he found the dead body of his father, having cut injuries.



The learned counsel for the petitioner has submitted that he is innocent and has falsely been implicated in this case. He is a person of clean antecedent and is under custody since 17.05.2022. He has submitted further that except confessional statement of co-accused persons and the petitioner, there is nothing against him in the entire case diary. He has also submitted that the nine accused persons, on similar footing, have been granted bail by the coordinate Benches of this Court.

Considering the above-mentioned facts and circumstances especially the fact that other co-accused persons have been granted bail by the coordinate Benches of this Court, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief 12th Additional Sessions Judge, Motihari, East Champaran in connection with Sessions Trial No. 1290 of 2022 arising out of Chhatauni P.S. Case No. 330 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to



file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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