

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5958 of 2023

Arising Out of PS. Case No.-135 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

SHIVJI SAH @ SHIV KUMAR SAH Son of Kishundev Sah @ Krishundeo Sah Resident of village - Basantpur Chainpur, P.S.- Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 05-05-2023 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 Sahebganj P.S. Case No. 135 of 2020, G.R. No. 866 of 2020, registered for the offences punishable under Sections 341, 342, 447, 323, 324, 307, 354, 379, 34 of the IPC.

The specific allegation against the petitioner is that he assaulted Asha Devi (wife of the informant) on her head with an axe.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is case and counter case. The members of defense side have also sustained injuries. The injury on the person of Asha Devi is caused by hard and blunt substance. The petitioner is a person of clean antecedent. He is under custody since 23.11.2022.



Considering the above-mentioned facts and circumstances, 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 J.M. 1st Class, (West) Muzaffarpur in connection with Sahebganj P.S. Case No. 135 of 2020, G.R. No. 866 of 2020, 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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