

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35313 of 2023

Arising Out of PS. Case No.-217 Year-2022 Thana- DURAULI District- Siwan

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BRIJ MOHAN SAH @ BRIJ MOHAN GUPTA Son of Raj Kumar Sah
Resident of village - Donkhurd, P.S.- Darauli, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari , Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 147, 341, 447, 323, 325,
307, 504, 506 and 302/34 of the Indian Penal Code.

3. Allegation against this petitioner is that he caught
hold of the informant's son, thereafter co-accused Rohit Sah
gave knife blow in his right side of stomach, as a result of which
he sustained injury and during course of treatment he died.

4. It is submitted that specific accusation of assault
is against co-accused Rohit Sah. So far as this petitioner is
concerned he is only alleged to have caught hold of the
deceased. There is general and omnibus allegation of assault
against the petitioner. No specific overt act is alleged against



this petitioner. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Siwan in connection with Darauli P.S. case no 217 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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