

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 38781 of 2023

Arising Out of PS. Case No.-375 Year-2022 Thana- SIKARPUR District- West Champaran

Rajkumar Sah S/O Ramjee Sah R/O Village- Genharia, Jamuniya, P.S- Sahodra, Distt.- West Champaran, presently residing at Village- Bargajwa, P.S- Shikarpur, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vatsal Verma

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-08-2023 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted for the offence under Sections 325, 307, 302, 379/34 of the Indian Penal Code.

AS per allegation in the FIR, when the informant's father was erecting temporary wall by bamboo sticks, petitioner and four others came there and started to abuse him and destroy the bamboo sticks. On objection raised by the informant's father, with intention to kill him, accused persons gave numerous blows on head with lathi resulting into head injuries and blood oozing. Accused Ramvanti Devi and Usha Devi gave him lathi blows on his left hand as a result of which fracture of



his left hand. It is further alleged that when his family members came there to rescue him, they were also beaten up by the accused persons. Father of the informant died during course of treatment.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. No one is the eye witness of the alleged occurrence. Deceased is uncle of the petitioner and due to land dispute, scuffle took place. Allegedly, numerous blows were inflicted upon the deceased over his head and other body parts, however, the said allegation does not corroborate with the postmortem report in which doctor has opined that deceased has sustained only one injury over back of the head, abrasion over shoulder and swelling on left hand besides others injuries over other body-parts. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 24.5.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties
of the like amount each to the satisfaction of the learned Judicial
Magistrate 1st Class, Bettiah, West Champaran in connection
with Shikarpur PS Case No. 375 of 2022.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

