

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36734 of 2022

Arising Out of PS. Case No.-76 Year-2021 Thana- CHACKMEHSI District- Samastipur

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Ram Dev Sah @ Lalbabu Sah Son Of Baiju Sah R/O-Vill- Baktiyarpur P.S.-
Chakmehshi, Dist.- Samstipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 24-02-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 147, 148, 149, 323, 324, 326, 307, 341,

354(B), 447, 448, 504, 506 of the Indian Penal Code.

The prosecution case as per F.I.R is that while

the informant was at his house, co-accused Baiju Sah

and his family members came to his house and forcibly

attempted to take him along and when his mother and



brother came to save the informant, this petitioner knocked his mother down on the ground and tore her blouse. Co-accused Arjun Sah assaulted the brother of the informant. On the next day, the accused persons again caught hold the brother of the informant namely Vidyanand Mahto and dragged him to their campus where it is alleged against this petitioner that he sprinkled petrol on his body and co-accused Arjun Sah lit a matchstick causing him burn injuries.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case and in the background of some land dispute, the present F.I.R has been registered. There is counter version of the occurrence also and the petitioner's side also sustained injuries and burn injuries. There is no accusation of repeating the blow. The petitioner is languishing in custody since 31.03.2022.

Learned counsel appearing on behalf of the



informant and learned A.P.P for the State have vehemently opposed the prayer for bail of the petitioner and submitted that petitioner has outraged the modesty of the mother of the informant and later on poured petrol from a gallon over the brother of the informant namely Vidyanand Mahto and thereafter co-accused Arjun Sah lit fire upon him as a result of which, brother of the informant received burn injuries. The injury report of the victim has been annexed as Annexure-1 of the counter affidavit which suggests that the Doctor of S.K.M.C.H, Muzaffarpur has found 45 percent burn injuries on the person of brother of the informant namely Vidyanand Mahto. Moreover, the petitioner is a man of criminal antecedents and six criminal cases have been registered against him.

In the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

The prayer for grant of bail to the petitioner stands rejected.



The Trial Court is directed to expedite the trial
and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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