

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43167 of 2023

Arising Out of PS. Case No.-342 Year-2020 Thana- DALSINGHSARAI District- Samastipur

Bittu Sah @ Bittu Kumar Sah @ Sanjay Kumar Sah S/O Mukti Sah R/O
Village- Mokhtiyarpur Salkhani, Ps. Dalsinghsarai Dist. Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 21-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with S.T. No. 564 of 2022 arising out of Dalsinghsarai P.S. Case No. 342 of 2020 dated 14.11.2020 registered for the offences u/ss 341, 323, 324, 307, 302, 452 read with section 34 of the Indian Penal Code and 27 of the Arms Act.

4. As per the prosecution case, five unknown miscreants are alleged to have entered the house of the



informant and assaulted the informant and her family members with the butt of the pistol. One accused person fired on Khusboo Kumari causing injury in her stomach. Thereafter, all the injured persons were taken to hospital for treatment and the informant's mother died during the course of the treatment.

5. Learned counsel for the petitioner has submitted that the petitioners is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Tarik ishtiyak @ Major. The petitioner has got one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 17.04.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Dalsingsarai, Samastipur in connection with S.T. No. 564 of 2022 arising out of Dalsinghsarai P.S. Case No. 342 of 2020, with the condition/s:-



(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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