

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46815 of 2023

Arising Out of PS. Case No.-395 Year-2022 Thana- AMNAUR District- Saran

Subhash Kumar @ Subash Kumar S/O Harendra Sah R/O Village- Pakridhih,
P.S- Amnour, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with Amnour P.S. Case No. 395 of 2022 registered for the offence under Sections 341, 323, 324, 354-B, 307, 379, 504, 506/34 of the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R. and is in custody since 25.05.2023.

4. The allegation against the petitioner is to assault informant and others alongwith family members/co-accused persons by means of knife, rod, etc., having intention to cause their death, where allegation is also to snatch golden chain during the course of occurrence, which arises out of previous enmities.



5. Learned counsel appearing on behalf of the petitioner submitted that the implication of this petitioner is only for the reason that he is the family members of main co-accused, namely, Harendra Sah, who alleged to assault grand-daughter of the informant by means of knife causing head injuries. It is submitted that a counter case was also lodged by mother of this petitioner, which has been registered as Amnour P.S. Case No. 391 of 2022. It is further submitted that allegation against this petitioner is only to snatch golden chain of grand-daughter of the informant during the course of occurrence. While concluding the argument, it has been submitted that petitioner found involved in one more criminal case, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as allegation to cause injury inflicted by knife is not available against this petitioner rather same is available specifically against co-accused Harendra Sah coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 25.05.2023, accordingly, above named



petitioner is directed to be released on bail in connection with Amnour P.S. Case No. 395 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Saran at Chapra/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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