

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47897 of 2023

Arising Out of PS. Case No.-130 Year-2021 Thana- PATAHI District- East Champaran

KUNDAN SAH Son of Late Sat Narayan Sah Resident of Village-
Padumaker, P.S.-Patahi, District-East Champaran at present R/o Village-
Pataura, P.S.-Mufassil, District-East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-09-2023 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 341 , 323 , 363 , 366 ,
and 34 of the Indian Penal Code.

3. As per the prosecution case, on 17.07.2021 , at
about 5 P . M., all the FIR named accused persons came to the
house of the informant and took away her son towards an
orchard and brutally assaulted him.

4. It is submitted that petitioner is not named in this
FIR. His name transpired on the confessional statement of Sillu
Raut who has already been acquitted by the Court below vide
judgment dated 21.06.2023 in Sessions Trial No. 260 of 2022.



Except suspicion there is no material to show complicity of the case against the 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 Chief Judicial Magistrate , Motihari, East Champaran in connection with Patahi P.S. case No. 130 of 2021 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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