

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58590 of 2023

Arising Out of PS. Case No.-207 Year-2023 Thana- JANDAHA District- Vaishali

Satdev Sah @ Satydev Sah Son Of Late Shital Sah Village- Arniya W.No-11,
Ps- Jandaha Dist- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-10-2023 Heard Mr. Nachiketa Jha, learned counsel appearing
on behalf of the petitioner and Mr. Narshingh Tanti, learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Jandaha P.S. Case No. 207 of 2023, registered for the
offences punishable under Sections 341, 323, 324, 307, 447,
427, 504/34 of the Indian Penal Code.

3. Allegedly while the informant was sitting at his
shop, in the meantime, all the accused persons including the
petitioner variously armed arrived at his shop and started
abusing. It is further alleged that when the son of the informant
tried to pacify the matter, the petitioner and co-accused Kundan
Kumar caught hold his hand and co-accused Chandan Kumar
assaulted him by means of sword on his head, due to which he



sustained grievous injury.

4. Learned counsel appearing on behalf of the petitioner submits that the parties are agnates and so far the allegation against the petitioner is concerned that is only confined to catching of the hand of Santosh Kumar and the specific allegation of assault has been levelled against co-accused Chandan Kumar. He next submitted that there is a counter version of the present case, being Jandaha P.S. Case No. 208 of 2023, instituted by co-accused Chandan Kumar against the son of the informant in the instant case. The petitioner bears fair antecedent and the occurrence has taken place on account of some trifling dispute.

7. On the other hand, learned counsel for the State Opposed the bail application and submits that the petitioner has actively participated and he is a person, who caught hold the son of the informant and thereafter co-accused Chandan Kumar has assaulted him by means of sword.

8. Regard being had to the submissions made on behalf of the parties and considering the allegation levelled against the petitioner and the fact that both the parties are agnates, coupled with his fair antecedent, let the petitioner abovenamed be released on bail, in the event of his arrest or



surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Vaishali in connection with Jandaha P.S. Case No. 207 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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