

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64867 of 2022

Arising Out of PS. Case No.-369 Year-2020 Thana- BIBHUTIPUR District- Samastipur

=====

Raja Babu Sah @ Sudhir Sah Son of Raj Kumar Sah Resident of Village -
Sakhmohan, P.S. - Bibhutipur, District - Samastipur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Avinash Kumar Singh, Adv.

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

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 16-02-2023 Let the defect(s), if any, be removed within two
weeks from today.

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

The petitioner seeks regular bail in connection with
Bibhutipur P.S. Case No. 369 of 2020 lodged under Sections
147, 341, 323, 379 & 302 of the I.P.C.

As per the prosecution case, the allegation made by
the informant that on 12.11.2020, this petitioner came to the
house of the informant and told him to come with him, on the
pretext of some urgent work. It has been submitted that at 7.30
pm, the said petitioner has called the informant that his son met
with an accident and therefore, he was taken to a nearby clinic.
Upon information, the family members reached there. The

doctor referred them for his better treatment and then they visited another hospital. It has been alleged that on 15.11.2020, the son of the informant became conscious and disclosed that the said petitioner, along with 4 others brutally assaulted him and snatched his gold and silver chain, ATM card and Rs. 15,000/- cash from him, thereafter, F.I.R. was lodged on 18.11.2020, after his death.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 05.01.2022 having clean antecedent and charge has already been submitted. He further submits that admittedly the date of occurrence is 12.11.2020. He submits that the deceased disclosed the name of the petitioner and others on 15.11.2020 itself but F.I.R. lodged on 18.11.2020 and this delay has not been accepted.

Learned counsel for the State opposes the prayer for bail and submits that such types of things are going in society.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 1st, Rosera

at Samastipur in connection with Bibhutipur P.S. Case No. 369
of 2020, subject to the conditions as laid down under Section
437(3) of Cr.P.C.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

ashishsingh/-

U		T	
---	--	---	--