

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75714 of 2023

Arising Out of PS. Case No.-142 Year-2022 Thana- BAIRIYA District- West Champaran

HIRA SAH @ HEERA SAH Son of Babulal Sah R/o vill - Phuliya Khand,
Sheorajpur, P.s. - Bairiya, Distt. - West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra
For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 341, 323, 324, 307,
379, 354, 504, 506/34 of the Indian Penal Code.

3. As per FIR, it is a case of assaulting by the
petitioner and other co-accused persons due to which, the
informant and his family members sustained injury.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to old
dispute. He has committed no offence. He submitted that both
the parties are neighbour and there is admitted land dispute
between both the parties, which is genesis of this occurrence
and it has been categorically mentioned in the FIR that the



occurrence took place due to the dispute of land on which new house was in construction. There has been delay of about four days in lodging in the FIR. There is general and omnibus allegation against the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 17.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bettiah, West Champaran in connection with Bairiya P.S. Case No. 142 of 2022.

(Sunil Kumar Panwar, J)

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