

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5801 of 2024

Arising Out of PS. Case No.-162 Year-2023 Thana- BAIRIYA District- West Champaran

Bindheyachal Sah @ Sandeep Kumar @ Binachal Sah, Son of Rajaram Sah,
Resident of Village - Tilangahi, P.S. - Bairiya, District - West Champaran

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjeev Kumar, Advocate
For the Opposite Party : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Bairiya P.S. Case No.162 of 2023 registered for the offence
punishable under Sections 341, 323, 307, 504, 506/34 of the
Indian Penal Code. Later on Section, 302 of the Indian Penal
Code was also added.

3. The deceased was assaulted by the accused
persons. He has died during the treatment. The petitioner is in
custody since 05.09.2023.

4. It has been submitted by learned counsel for
the petitioner that case under Section 302 of the Indian Penal
Code is not made out in the facts of the case and there is general
and omnibus allegation of assault due to land dispute.



5. Considering the aforesaid facts, this application is allowed.

6. Let the petitioners, above named, be released on bail *after framing of charge, if the charge has not already been framed* 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, West Champaran at Bettiah, in connection with Bairiya P.S. Case No.162 of 2023.

(Sandeep Kumar, J)

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