

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8052 of 2024

Arising Out of PS. Case No.-53 Year-2023 Thana- NAYAGAON District- Begusarai

Ram Babu Sah son of Late Dhina Sah @ Late Ghina Sah @ Ghanshyam Sah
Village- Dariyapur Ps- Nayagaon Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sandip Kumar Gautam
For the Opposite Party/s	:	Mr. Shubhesh Pandey
For the State	:	Mr. Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 323, 354, 504, 379, 506, 324/34, 307 of the Indian Penal Code.

Prosecution case in nutshell is that petitioner along with other co-accused person came at the house of informant and started abusing her. When she objected, on the order of co-accused Sri Ram Sah, co-accused Raushan Kumar Sah assaulted the informant by means of Lathi due to which she sustained injuries. Allegation against the petitioner



is that he caught hold the hair of informant and pushed her on ground due to which she became semi naked. It is further alleged that other co-accused persons also assaulted her by means of fist and slaps. When the mother-in-law and husband of the informant came to her rescue, they were also assaulted by co-accused persons. They snatched Rs. 500 from the pocket of informant's husband.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Both parties are agnates and there is dispute between them regarding partition of family property. From perusal of injury report, it is evident that there is no sign of injury over the body of informant, who is alleged to be caught hold by the petitioner and dashed to ground. Moreover, the petitioner is languishing in judicial custody since 23.11.2023. Similarly situated co-accused Shree Ram Sah has been granted bail vide order dated 05.01.2024, passed in Cr. Misc. No. 81575 of 2023 by the co-ordinate Bench of this Court.

Learned APP appearing for the State and learned



counsel for the informant have vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Nayagaon P.S. Case No. 53 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Begusarai.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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