

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13447 of 2024

Arising Out of PS. Case No.-348 Year-2023 Thana- FALKA District- Katihar

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Gopal Sah @ Ajay Sah Son of Late Anandi Sah R/o Giriyama, P.S.- Falka,
Dist.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Falka P.S. case No. 348
of 2023 instituted for the offences under Sections 302, 354(B),
323, 504, 341, 506/34 of the Indian Penal Code.

3. Prosecution allegation, in short, is that the accused
persons, variously armed, forcibly entered into the house of the
informant assaulted her due to which she sustained injury and
later succumbed to the injury.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. After
investigation, the police submitted charge-sheet under Section
304 I.P.C. and thereafter cognizance was taken under Section



304 I.P.C. General and omnibus allegation has been made against the petitioner. Post-mortem report does not show any internal or external injury on the body of the deceased. There is delay of 10 days in lodging the F.I.R. and incident took place on 18.09.2023 and the case was registered on 28.09.2023. The petitioner is in custody since 29.09.2023 and has no criminal antecedent

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the clean antecedent of the petitioner and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Falka P.S. case No. 348 of 2023.

(Rudra Prakash Mishra, J)

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