

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21936 of 2024

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

Taira Sah @ Tahir @ Tahir Sah @ Sujit Kumar Son Of Rajaram Sah Resident
Of Village - Tilangahi, P.S. - Bairiya, District - West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Bairiya P.S. Case No. 162 of 2023 dated 06.06.2023, instituted for the offence punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and Section 302 of I.P.C. was added later on in this case.

3. The allegation against the petitioner and other named accused is that they assaulted with iron rod on the head of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that there is specific allegation against the petitioner rather it is general and omnibus. The specific allegation is against Raja Ram Shah, who assaulted with iron-rod on the head of the informant has been granted bail by this Court *vide* order dated 07.02.2024 passed in Criminal



Miscellaneous No. 2839 of 2024 and also the specific allegation is also against Raja Ram Shah, who assaulted the informant's brother (deceased). It is further submitted that there was 5 days delay in lodging the F.I.R. without any plausible explanation. It is also submitted that the said F.I.R. has been sent after much delay of its registration i.e. on 06.06.2023 and to the concerned Court on 14.06.2023. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Bairiya P.S. Case No. 162 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bettiah, West Champaran, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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