

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27762 of 2024

Arising Out of PS. Case No.-208 Year-2017 Thana- PARASBIGHA District- Jehanabad

SATISH KUMAR @ CHHABILA, SON OF MR. LALI YADAV, RESIDENT
OF VILLAGE - MISSIR BIGHA, P.S. - PARASBIGHA, DISTRICT -
JEHANABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Ms. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the Opposite Party/s	:	Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-05-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Session Trial no.78 of 2021, arising out of Parasbigha P.S. Case no. 208 of 2017 registered under sections 302, 307, 147, 148, 149, 341, 342, 448, 458, 323, 325, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the named accused persons including the petitioner herein as also 15-16 unknown accused persons are said to have come variously armed, having surrounded the house of the informant and of having assaulted the informant and the members of his family leading to three



deaths.

4. Learned counsel for the petitioner submits that from reading of the F.I.R, a number of accused persons have been specifically alleged to be carrying various arms and there is specific allegations of assault against them. So far as the petitioner is concerned, the allegations are general and omnibus in nature. A number of co-accused have been enlarged on anticipatory as also regular bail orders of which have been brought on record as Annexure-P/3 series to this petition. The petitioner is in custody since 22.3.2023 and undertakes to cooperate in the trial.

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

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 25.4.2024 of the learned Additional District and Sessions Judge-VIII, Jehanabad, no witness has been examined on behalf of the prosecution though summons, bailable warrants and non-bailable warrants have been issued on 29.11.2022, 12.1.2024 and 23.4.2024 respectively for appearance of the prosecution witnesses.

7. Having heard learned counsel for the parties and



taking into consideration the nature of allegation against this petitioner in the F.I.R together with the order granting regular as also anticipatory bail to different co-accused, order of which has been annexed as Annexure-P/3 series to this petition and the petitioner having remained in custody for over 1 year since 22.3.2023, the petitioner is directed to be enlarged on bail in connection with Session Trial no.78 of 2021 (arising out of Parasbigha P.S. Case no. 208 of 2017) 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 Additional Sessions Judge-II-cum-Successor Incharge A.D.J-VIII, Jehanabad.

(Partha Sarthy, J)

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