

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32082 of 2024

Arising Out of PS. Case No.-295 Year-2023 Thana- NAUTAN District- West Champaran

Subhash Sah son of Late Vijay Sah @ Bijay Sah Village- Churaman Patti Ps-
Nuatna Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-05-2024 Heard Mr. Sarvesh Kashyap, learned counsel for the
petitioner and Mr. Raj Kishore Singh, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
12.02.2024, in connection with Nautna P.S. Case No. 295 of
2023, F.I.R. dated 15.07.2023 registered for the offences
punishable under Sections 147, 149, 341, 323, 324, 307, 379,
354(B), 504 of the Indian Penal Code.

3. Allegedly, the petitioner along with other co-
accused is said to have assaulted the informant and his family
members by various weapons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case due to admitted land dispute between the parties.
He further submits that there is case and counter case between



the parties and although there is allegation against the petitioner that he has assaulted to the informant by means of *farsha* and he has received injury but the injury report of the informant suggests that the injury is grievous in nature but in the present occurrence the petitioners' side has also received injury. He further submits that there is admitted land dispute between the parties and one Title Suit Case No. 51 of 2023 is going on between the parties. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 12.02.2024.

5. The learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Nautna P.S. Case No. 295 of 2023, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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