

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29603 of 2024

Arising Out of PS. Case No.-74 Year-2024 Thana- SONEPUR District- Saran

Harendra Sah Son of Late Mishrilal Sah Resident of Village - Kasamar, Police Station - Sonpur (Pahleza O.P.), District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Sonpur (Pahleza O.P.) P.S. case No. 74 of 2024 instituted for the offences under Sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

3. Prosecution case, in short, is that on the alleged date and time of occurrence, this petitioner caught hold the son of the informant and ordered the co-accused Anil Sah to kill him. It is further alleged that co-accused Anil Sah assaulted the son of the informant on his head by spade. It is further alleged that all the accused persons including this petitioner also assaulted the informant, her daughter and her husband due to which they



sustained injuries.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that there is general and omnibus allegation levelled against this petitioner and the only specific allegation against him is that he caught hold the son of the informant and ordered the co-accused Anil Sah to kill him and, therefore, no case under Section 307 of the Indian Penal Code is made out against this petitioner. The specific allegation of assaulting on the head of the informant's son is attributed to co-accused Anil Sah. There is case and counter case between the parties. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.01.2024 and has one criminal antecedent and he is on bail in that case.

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, charge-sheet already being submitted as also 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 Sonpur (Pahleza O.P.) P.S. case No. 74 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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