

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39225 of 2024**

Arising Out of PS. Case No.-17 Year-2024 Thana- GHORASAHAN District- East
Champaran

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Sachin Kumar @ Sachin Sah S/O Surendra Sah R/O Village- Bijbani Udho
Sah Tola, P.S- Jitna, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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

ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and

learned APP for the State. Earlier by order dated 29.05.2024 the

matter was adjourned for filing supplementary affidavit

mentioning the date of custody of the petitioner, but till date no

supplementary affidavit is on record.

2. Learned counsel for the petitioner is permitted to

mention the date of custody of the petitioner at appropriate place

in the application in course of the day.

3. The petitioner seeks bail in Ghorasahan P.S. Case

No. 17 of 2024, instituted for the offences punishable under

Sections 147, 148, 323, 324, 379, 504, 506 and 307 of the

Indian Penal Code.



4. The prosecution case, in short, is that, the petitioner along with other co-accused persons have brutally assaulted the informant Sanjay Sah and his family members with intention to kill due to which the informant and his family members got seriously injured. It is further alleged that accused persons committed theft of ornaments, cash and other belongings of the informant.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that there is inordinate delay of seven days in lodging the F.I.R. and there is case and counter case between the parties. The allegation levelled against the petitioner is of assaulting Vijay Sah by means of *tangi*. Learned counsel for the petitioner further submitted that the injury sustained by Vijay Sah is grievous in nature. The petitioner has also sustained grievous injury by the prosecution side. The petitioner is in custody since 27.03.2024 and has got no criminal antecedent.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.



7. Considering the aforesaid facts and circumstances of the case, case and counter case between the parties and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ghorasahan P.S. Case No. 17 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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