

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50453 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- PIPRA District- East Champaran

Musa Sah @ Musha Sah S/o Late Jhagaru Sah R/O VILL - RASMANDAL,
P.S. PIPRA, DISTT. - EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Pipra P.S. Case No. 32 of 2024 dated 06.02.2024 registered for the offences punishable u/ss 307, 506 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, earlier the petitioner and the co-accused persons committed murder of the informant's brother for which Session Trial No. 282/23 is pending. They started pressurizing to compromise the said case otherwise they would kill the whole family. Thereafter, they fired with an intent to kill which hit the right thigh of the informant's wife under conspiracy.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The occurrence took place on 01.02.2024 but the F.I.R. was lodged on 06.02.204 and there is no explanation for this delay. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that the petitioner is aged about 75 years and handicapped person. The informant's wife sustained injury on non vital part of the body. The petitioner has three criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 08.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran at Motihari in connection with Pipra P.S. Case No. 32 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which



on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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