

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63350 of 2024

Arising Out of PS. Case No.-146 Year-2024 Thana- BARHARA KOTHI District- Purnia

Radhey Sah Son of Late Dukha Sah Resident of Village - Gopi Nagar Parsa -
(Parsa) - Ward No.5, Police Station - Barhara Kothi, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 26-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 324, 307 and 379/34 of the Indian Penal Code and later on Section 302 of the Indian Penal Code was added.

3. The case of the prosecution is that on the date of occurrence, the petitioner along with others have cut 50-55 bamboos from the bamboo clump of the informant. It is further alleged that Sunita Devi went there to protest the cutting of the bamboo for which Pappu Sah assaulted with '*khanti*' on her head due to which she received head injury. Initially, the case under section 307 and other allied sections of the Indian Penal Code was instituted but during treatment, Sunita Devi died and later on section 302 of the Indian Penal Code was added.



4. It has been argued by the learned counsel for the petitioner that allegation of assault to deceased is on Pappu Sha. Allegation against this petitioner is that he along with other accused persons have assaulted the family members of the informant. It is further submitted that from perusal of the FIR, it is clear that the main thrust of allegation is against Pappu Sha. Moreover, the petitioner is languishing in judicial custody since 14.06.2024 having no criminal antecedent.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barhara (Kothi) P.S. Case No. 146 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -II, Purnea/concerned Court.

(Ashok Kumar Pandey, J)

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