

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78110 of 2024

Arising Out of PS. Case No.-175 Year-2022 Thana- FALKA District- Katihar

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Rupesh Kumar Sah Son of Late Lakhan Lal Sah Resident of Village- Bakia
Dumar, P.S.- Falka (O.P. Pothia), District- Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Musowir

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

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

ORAL ORDER

3 29-11-2024 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 Falka (Pothia) P.S. Case No. 175 of 2022 dated 16.05.2022 registered for the offences punishable u/ss 323, 341, 324, 325, 307, 504 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the co-accused persons are alleged to have assaulted the informant's husband with leg, fist and lathi and the petitioner also assaulted the informant's husband on his head, palm and knee with Dabia with intention to kill due to that he sustained severe cut



injuries.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no repetition of blow and the petitioner has no intention to cause death of the informant's husband. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 19.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that there is specific allegation against the petitioner of assaulting the informant's husband and the injury is grievous in nature.

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, Katihar in connection with Falka (Pothia) P.S. Case No. 175 of 2022, with the following condition/s:-

(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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