

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78237 of 2024

Arising Out of PS. Case No.-274 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

Sanjay Sada @ Sanjay Kumar S/O Makkhan Sada R/O Khanjahanpur, Ward
No. 02, P.S.- Cheriya Bariyarpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate

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

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

ORAL ORDER

2 29-10-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Cheriya Bariyarpur P.S.
Case No. 274 of 2023, instituted for the offences punishable
under Sections 385, 387, 341, 323, 324, 307, 379, 504, 506 and
34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner
along with co-accused Nitish Sahni threatened the brother of the
informant to give them *rangdari* of Rs. 50,000/- or else he
would be killed. In the meantime, co-accused Nitish Kumar
took the brother of the informant to *bahiyar* and then assaulted
him with *butt* of the pistol along with other co-accused persons
due to which he sustained injuries.



4. 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 the injuries received by the brother of the informant are simple in nature caused by hard blunt object. There is a land dispute between the parties. The petitioner suo motu surrendered before the Court below on 05.08.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 14.12.2023 passed in Cr. Misc. No. 78949 of 2023.

5. Learned APP 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, taking into account the period of custody undergone by the petitioner and claim based on parity, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Cheriya Bariyarpur
P.S. Case No. 274 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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