

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3544 of 2024

Arising Out of PS. Case No.-122 Year-2023 Thana- PRANPUR District- Katihar

Jabun Sah Late Sundar Sah R/O Vill- Ramchandrapur (PURAB Tola) Ps-
Pranpur, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. In the present case, the petitioner is apprehending arrest in connection with Pranpur P.S. Case No. 122 of 2023, registered on 17.06.2023 for the offences under Sections 341, 307, 323, 354A, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons, who were variously armed, entered into the courtyard of the informant and assaulted the informant and his family members with knife, iron rod and sickle.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is case and counter case between the parties and



co-accused Chhotu Yadav lodged Pranpur P.S. Case No. 121 of 2023 for the same occurrence prior to the lodging of the case by the informant. There is no specific allegation against this petitioner and only allegation against the petitioner is that of giving order for assaulting one Jitendra Sah. Learned counsel further submits that due to previous enmity between the parties on account of some land dispute, the present case has been lodged. The parties have compromised the matter and a joint compromise petition has been filed before the learned Court below. It is further submitted that the petitioner is aged about 80 years. The petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no specific allegation of any overt act has been levelled against this petitioner and further considering the old age of the petitioner and possibility of false implication in the background of counter version of the petitioner's side, let the petitioner above named, in the event of arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of ₹10,000/-



(Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar/concerned court in connection with Pranpur P.S. Case No. 122 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Amrendra/-

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