

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8577 of 2025

Arising Out of PS. Case No.-176 Year-2024 Thana- MUFFASIL District- West Champaran

Damodar Sah S/O Late Sukai Sah R/O Village- Awaraiya Tiwari Tola, Ward
No. 1, P.S- Banuchhapar O.P. Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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

ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Muffasil (Banuchhapar) P.S. Case No. 176 of 2024 dated 27.03.2024 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, when the informant's son namely Kishan Kumar Gupta @ Akhilesh Kumar after closing his shop came to his home to take meal but all of a sudden, the petitioner and the co-accused persons came to the door of the informant and started abusing. On protest by her son, all the accused persons started abusing and the co-accused



Dwarika Sah caught her son from behind and the petitioner inflicted blow of farsa on his head and the co-accused Lalita Devi and Poonam Devi also attacked with Tangi on his head due to which he got severely injured and fell down on the ground. On halla, when his elder brother came to rescue his brother then he was also assaulted by the co-accused Rambabu and Lalan by an iron rod due to which he also got injured. Thereafter, the co-accused Dhawal Sah took out Rs. 2000/- and gold chain from his elder brother.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The charge-sheet has been submitted against the petitioner. As per Annexure-3 at page-19, the injury is stated to be simple in nature. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.11.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner by submitting that the specific allegation of assaulting the informant's son by farsa is against 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, West Champaran in connection with Muffasil (Banuchhapar) P.S. Case No. 176 of 2024, with a 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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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