SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com

Mohar Sah Vs. the State of Bihar

Mohar Sah Vs. the State of Bihar

SooperKanoon Citation : sooperkanoon.com/975404

Court : Patna

Decided On : May-19-2012

Appellant : Mohar Sah

Respondent : The State of Bihar

Judgement :
IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.2688 of 2012 Mohar Sah, son of late Deodhari Sah, resident of village Gangati, P.S. Ahiyapur, district Muzaffarpur .. Petitioner Versus The State of Bihar .. Opposite party **** /3/ 19 January, Heard learned counsel for the petitioner and the 2012 State. This is an application for grant of anticipatory bail for offence under Section 302/34 of the Penal Code. Though there is allegation in the petition that this petitioner was abater and order giver and in consequence one Arun Sahni and Sunil Sah assaulted the deceased by lathi. However, the police after investigation submitted charge sheet against Arun Sahni and Rambrikcha Sahni, but, submitted final form against Mohar Sah, Sunil Sah, Shanker Sah and Babulal Sah. The learned counsel for the petitioner submits that co-accused, Sunil Sah and Shanker Sah, have been granted bail by this Court in Cr. Misc. No. 34365 of 2011 and the case of the petitioner is on much better footing as the petitioner is only an order giver. Hence, having regard to the facts and circumstances of the case, in the event of arrest or surrender of the petitioners, he is directed to be released on anticipatory bail, within four weeks, from the date of receipt of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Ahiyapur P.S. Case No. 299 of 2007 to the

satisfaction of Smt. Anandita Singh, Judicial Magistrate, 1st Class, Muzaffarpur, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code. (Gopal Prasad, J.) S.A.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com