

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38582 of 2018

Arising Out of PS. Case No.-70 Year-2018 Thana- KISHUNPUR District- Supaul

BINOD SAH @ BINOD KUMAR SAH S/o Late Hansraj Sah, R/o Vill.-
Singawan, P.S.- Kishanpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Adv.

Mr. Anujit Sinha

For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-07-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in connection with
Kishanpur P.S. Case No. 70 of 2018 for offences punishable
under Sections 341, 323, 354(B), 379, 504, 506/34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant,
is that there was a quarrel between the petitioner and his
brother 20 days back and on the alleged date of occurrence
the petitioner along with his brother, wife, brother's wife and
other persons of the family on objection by the informant to
cut bamboo from her side there was an altercation where all
the accused persons assaulted her and specific allegation



upon the petitioner is that he made her naked.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and both sides belong to the same family. In fact, petitioner is cousin father-in-law of the informant and there was land dispute between the parties for which the petitioner has been falsely implicated. The petitioner is languishing in judicial custody since 23.04.2018.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Supaul, in connection with Kishanpur P.S. Case No. 70 of 2018, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) If the petitioner indulges in an offence of similar



nature in future, the prosecution will be at liberty to
move the learned court below for cancellation of his
bail bonds.

(Nilu Agrawal, J)

Rajesh/Pragya

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