

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2023 of 2018

Arising Out of PS.Case No. -257 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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Harilal Sah, Son of Late Darogi Sah, Resident of Village- Kevilasi, Ward
No.7, P.S.- Simraha, District- Araria, Bihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Sharma, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 15-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 16.10.2017 in connection with Forbesganj (Simraha) P.S. Case No. 257 of 2017 for the offences alleged under Sections 341, 323, 324, 379 and 504/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of petty dispute as the husband of the informant and petitioner are full brothers and next door neighbours. The accusation of assault by *farsha* on the head of the informant's husband is belied from the injury report which discloses the injury caused by hard and blunt substance which thus creates serious doubt about the veracity of the accusations. No recovery of any incriminating articles has been made from the conscious possession of the petitioner. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above



named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Forbesganj (Simraha) P.S. Case No. 257 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/-

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