

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19820 of 2019

Arising Out of PS. Case No.-129 Year-2014 Thana- SIDHWALIYA District- Gopalganj

MAHENDRA SAH, Son of Late Ramshakal Sah, aged about 50 years,
Gender- Male, Resident of Village - Kalyanpur Mathia, P.S.- Sidhwalia,
District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan, Adv.
For the Opposite Party/s : Mr.Gulnar Begum (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 02-04-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail registered
for the offences punishable under Sections 328, 306, 376/34 of
the Indian Penal Code.

Informant has alleged that marriage of his sister
Janki Kumari was settled with Anil Kumar Sah, son of
petitioner and ceremony of engagement was also performed.
Son of petitioner wanted to see the girl himself and came to
see the bride and it is alleged that he stayed in the house of
informant and in the night established physical relation with her
sister but subsequently denied marriage.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. His son Anil Kumar Sah has been acquitted and co-accused Rajmohan Sah has also been granted bail. There is no allegation against petitioner of abatement of suicide. Petitioner has no criminal antecedent and is in custody since 26.11.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Sidhwalia P.S. Case No. 129 of 2014, subject to conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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