

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29275 of 2019

Arising Out of PS. Case No.-52 Year-2018 Thana- BANMANKHI District- Purnia

HARISH CHANDRA SAH S/o Yogendra Sah Resident of Village-
Belachand, P.S.- Banmankhi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Mallick

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 08-05-2019 Heard learned counsel for the parties.

Let the Defect no.6 (1) as pointed out by the office
be ignored for the present.

Petitioner, who is in custody, seeks bail registered
for the offences punishable under Sections 147, 148, 149, 341,
323, 325, 307, 379 and 504 of the Indian Penal Code.

Informant has alleged that on 18.03.2018 at about
9:00 A.M. while he was constructing his house, FIR named
accused variously armed came and assaulted him and his family
members by *Lathi, Bhala, Farsa and Tamancha*. Allegation
against petitioner is causing assault on his head by *Lathi* and



also assaulting his brother along with co-accused Deepak Sah.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Petitioner had earlier moved to this Court for grant of regular bail which was rejected vide order dated 18.09.2018 as contained in Annexure-1 with a liberty to renew his prayer for bail after remaining in custody for one year. Petitioner has got no criminal antecedent and is in custody since 23.03.2018.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Banmankhi P.S. Case No. 52 of 2018**, with following condition:-

(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 the Court and his absence on two consecutive dates without sufficient reason, 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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