

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60121 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- KEWATI District- Darbhanga

1. PRADEEP SAH, Male, aged about 30 years, Son of Chandeshwar Sah
2. Chandeshwar Sah, Male, aged about 55 years, Son of Late Kapleshwar Sah
Both are Resident of Village- Khirma, P.S.- Keoti, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Jha
For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 27-11-2019 Heard learned counsel for the parties.

Petitioners seek bail in a case registered for the offence punishable under Sections 323, 326, 509, 504/34 and 326(A) of the Indian Penal Code.

Informant Arti Kumari in her fardebyan has stated that on 31.03.2019 at 4-5 p.m., she had gone to the shop of Pradeep Sah to purchase household articles then Chedi Sah started assaulting her and when her grandmother Rajo Devi tried to save her then petitioner no.1, Pradeep Sah and son of Chhote Sah sprinkled acid upon her as well as her sister, Kajal Kumari and petitioner no.2, Chandeshwar Sah abused them.

It has been submitted on behalf of the petitioners that they are innocent and have falsely been implicated in this case



due to animosity between the informant and petitioners' community. It has further been submitted that son of Chhote Sah, Bibek Kumar, whose case is similar to petitioner no.1, Pradeep Sah, has already been granted bail by a co-ordinate Bench of this Court vide order dated 28.08.2019 passed in Cr. Misc. No.54214 of 2019 and allegation against petitioner no.2 is of only abusing the informant. Petitioners have no criminal antecedent and they are in custody since 04.04.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Keoti P.S. Case No. 45 of 2019 with following conditions:-

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

(2) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.

(3) If the petitioners tamper 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 petitioners.

(S. Kumar, J)

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