

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67555 of 2018

Arising Out of PS. Case No.-98 Year-2018 Thana- RANIYATALAB District-
Patna

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Sageer Sai @ Sagir Sah Son of Nayeem Sai Resident of Village-
Ameerabad, P.S. Rani Talab, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Shailendra Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 07-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 341, 323, 325, 307, 379, 504 and 34 of the
Indian Penal Code registered in connection with Rani Talab P.S.
Case No. 98 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of land dispute between the parties.
The petitioner claims clean antecedents.

4. A perusal of paragraph-42 of the case diary discloses
that the injury on the head of the informant is simple in nature.
Moreover, there is variance in the informant's version in the F.I.R.
alleging assault on his head by the petitioner whereas in his
reinstatement it has been alleged that co-accused Nayeem Sai
had assaulted him.

5. Be that as it may, having regard to the entirety of the
facts and circumstances of the case, in the event of the
petitioner's arrest or surrender before the court below within six



weeks from the date of communication of this order, let the above named petitioner 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 Shri P.K. Malviya, Judicial Magistrate Ist Class, Danapur in connection with Rani Talab P.S. Case No. 98 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further 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) 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.

(iv) 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.

(Vikash Jain, J)

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