

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68798 of 2019

Arising Out of PS. Case No.-802 Year-2017 Thana- BIHTA District- Patna

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DHANANJAY UPADHAYAY @ DHANJYA UPADHAYAY Son of Umesh Upadhyay Resident of Village - and Post - Sadisopur, P.S.- Bihta, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bishwajeet Pandey

For the Opposite Party/s : Mr.Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-12-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 341, 323, 406, 385, 504, 306/34 of the Indian Penal Code.

Informant in his written complaint has alleged that in spite of payment of consideration amount, FIR named accused did not execute sale deed in his favour nor refunded the amount. Allegation against petitioner is that while Informant had gone to see his plot then petitioner attacked upon him and assaulted him by legs, fists and slaps and also demanded ransom from him.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Informant has not sustained any injury. Petitioner is in custody



since 13.07.2019.

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 **Bihta P.S. Case No. 802 of 2017**, with following 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 the Court and his/her absence on two consecutive dates without sufficient reason, his/her 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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