

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19259 of 2021**

Arising Out of PS. Case No.-208 Year-2019 Thana- MADHUBANI TOWN District-
Madhubani

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RAJESH SAH Son of Ramashish Sah Resident of Village - Laheriyaganj,
P.S.- Town, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv
For the Opposite Party/s : Mr.Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 30-11-2021 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Petitioner who is in custody since 01.10.2020 seeks
bail in connection with Town P.S. Case No. 208 of 2019 dated
13.06.2019 registered for offences punishable under Section
341, 323, 324, 307, 427, 448, 354(B), 379, 504 and 506/34 of
the Indian Penal Code.

Prosecution case in brief is that the accused persons
armed with dangerous weapon assaulted the son of the
informant Santosh Jha on the head by sword due to which he
sustained head injury. It has further been alleged that Rajesh Sah
ordered to plunder the house of the informant and in course of
the said act they also outraged the modesty of the informant's



wife.

Learned counsel appearing on behalf of the petitioner submits that he has falsely been implicated in this case. He further submits that on the same day he has lodged a case in connection with Town P.S. Case No. 207 of 2019 for offences punishable under Section 341, 323, 379, 504 and 506/34 of the Indian Penal Code against the informant. He further submits that due to previous drudge, malice, spite and local party politics, the petitioner has been implicated in the present case. He further submits that petitioner has been made accused on the basis of absurd allegation of assault.

Learned A.P.P., however, opposes the prayer for bail.

Considering the submissions of the rival parties, the injury report submitted by the doctor is not conclusive with respect to first injury, however, one injury is simple in nature and charge-sheet has already been submitted, let the petitioner above named, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Madhubani in connection with Town P.S. Case No. 208 of 2019 subject to the following conditions:

(i) Bailors should be local having sufficient



immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tempers 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.

(Purnendu Singh, J)

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