

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20292 of 2021

Arising Out of PS. Case No.-202 Year-2020 Thana- JANTA BAZAR District- Saran

Md Shahabuddin Mian Son of Md. Islam Mian R/O Village- Pipra, P.S.-
Raghunathpur, District- Siwan-841203.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 31-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Janta Bazar P.S. Case No. 202 of 2020, registered for the offence under Sections 447, 448, 341, 323, 324, 307 and 354 of the Indian Penal Code.

As per the prosecution case, this petitioner is alleged to have assaulted the informant's wife, daughter and Saarhu (brother-in-law of informant) with rod and knife, as a result of which, they sustained injuries.

It is submitted on behalf of petitioner that petitioner was apprehended on the spot with the help of the villagers and was handed over to the police. The injuries have been found to be simple in nature by the doctor. It is further submitted that no offence under Section 354 of the I.P.C. is made out against this petitioner and same is only super addition to make the case non-bailable. Petitioner has got clean antecedent and he is in custody



since 21.11.2020. Chargesheet has been submitted and investigation is complete.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances as well as period of custody and clean antecedent of the petitioner, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Chapra, Saran in connection with Janta Bazar P.S. Case No. 202 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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