

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32841 of 2021

Arising Out of PS. Case No.-206 Year-2018 Thana- BHAGWANPUR District- Vaishali

Suraj Sahani Son of Nandlal Sahani Resident of Village - Ataullahpur, P.S.-
Lalganj, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-11-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bhagwanpur P.S. Case No. 206 of 2018 dated 30.11.2018
instituted for the offences under Sections 394 and 302 of the
Indian Penal Code.

Learned counsel for the petitioner submits that earlier
by Annexure-1, the bail application of this petitioner was
rejected and the Court had recorded that “In such view of the
matter, this Court is not inclined to grant bail to the petitioner
for the present and accordingly his prayer for bail is rejected.”

Learned counsel for the petitioner submits that at the
time when the bail came to be rejected, it was with the aforesaid
observation that it was being rejected for the present.



Learned counsel for the petitioner submits that the petitioner is in custody since 26.10.2019 and charge-sheet has been submitted and further that the petitioner came to be implicated in the present case based on his confessional statement made in Bhagwanpur P.S. Case No. 231 of 2019 and thereafter he was remanded in the present case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that petitioner has got five criminal antecedents as mentioned in paragraph '3' of the bail application.

Considering the fact that the petitioner is in custody since 26.10.2019, charge-sheet has been submitted and earlier the bail was rejected with an observation that for the present the bail is being rejected, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 206 of 2018 subject to the condition as laid down under Section 437 (3) Cr.P.C. with a condition that one of the bailor shall be the father of the petitioner and till the trial commences, the petitioner will have to mark his attendance



in the concerned police station on 15th of every month commencing from December, 2021 and in the event it is reported to the learned court below that the petitioner has not marked his attendance on any of the 15th of any of the month, the court below shall be at liberty to cancel his bail bonds.

(Satyavrat Verma, J)

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