

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34892 of 2021**

Arising Out of PS. Case No.-89 Year-2020 Thana- DANDKHORA District- Katihar

BHAJAN @ BHAJAN MURMU S/O SISEN MURMU R/o- Kelabari
Santhali Tola, P.S.- Dandkhora, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Rajendra Pd Nat, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 07-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Dandkhora P.S. Case No.
89 of 2020, registered for the offence punishable under Sections
323, 324, 354(B) and other allied sections of the Indian Penal
Code.

As per the prosecution case, on 01.09.2020 at 9.00 pm
while the informant was at her matrimonial home, one Babloo
Kumar Mahto came to her house and they were talking to each
other. Thereafter her Dewar Shrawan Kumar Maraiya and other
FIR named accused persons including 50-60 unknown persons
came there and started assaulting her and Babloo Kumar Mahto.
The accused persons tied both of them with a pillar and



tried to insert hot rod in the private part of informant and Bablu Kumar Mahto. Accused persons also cut the hair of both persons. It is further alleged that accused persons also took Rs. 50,000/- from the family of Babloo Kumar Mahto and thereafter informant and Babloo Kumar Mahto got free.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case due to previous enmity. Informant had illicit relation with Babloo which was opposed by petitioner due to which this false case has been lodged against this petitioner. No specific overt act has been alleged against this petitioner. Similarly situated co-accused has been granted bail by this Court vide order dated 21.08.2021 passed in Cr. Misc. No. 20771 of 2021. Petitioner is in custody since 12.09.2020 having clean antecedent. Investigation is complete.

Considering the period of custody and clean antecedent and the fact that similarly situated co-accused has been granted bail, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with DandKhora P.S. Case No. 89 of 2020, subject



to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

