

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37789 of 2021

Arising Out of PS. Case No.-52 Year-2021 Thana- SAHARSA SADAR District- Saharsa

SAURAV SINGH @ SOURAV KUMAR SINGH S/o- Late Chakradhar Singh
Resident of Village- Bharauli @ Baraul, Dhakjari, P.S.- Sadar (Sonbarsa
Kachahari), District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-12-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Sadar (Sonbarsa Kachahari) P.S. Case No. 52 of 2020 registered for the offence under Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

The informant is subjected to assault on his forehead by means of Dabia resultantly he sustained ante-mortem injuries.

Learned counsel appearing for the petitioner



submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact, the specific allegation of assault by means of Dabia on the forehead of the informant is attributed to the co-accused, namely, Sultain Singh, this fact is clearly apparent from the F.I.R. itself. The petitioner being an accused of this case is having general and omnibus accusations. The petitioner, who is a man of clean antecedent, is rotting in judicial custody since 16.03.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 Chief Judicial Magistrate, Saharsa in connection with Sadar (Sonbarsa Kachahari) P.S. Case No. 52 of 2021 with the following conditions:-

(1) 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 on his/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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