

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38448 of 2021**

Arising Out of PS. Case No.-618 Year-2020 Thana- KATIHAR NAGAR District- Katihar

SANJAY SAH Son of Anandi Sah Resident of Mohalla- Driver Tola, Ward
No. 16, P.S.- Nagar (Katihar), District- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Advocate
For the Opposite Party/s : Mr.Bishweshwar Ram, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 09-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Nagar (Katihar) P.S. Case No. 618 of 2020 registered for the offences punishable under Sections 498(A), 307, 326A, 506/34 of the IPC and $\frac{3}{4}$ of D.P. Act.

According to prosecution case, the informant was married with one Ranjeet Sah and she lived in her matrimonial home for about one and a half year in good manner. It is further alleged that on 17.11.2020 while she was sleeping in her house the petitioner and co-accused poured acid upon her due to non



fulfilment of demand of rupees fifty thousand.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. In fact, the petitioner is brother-in-law (Nadosi) of the informant. It is further submitted that it appears from the FIR itself that the alleged occurrence took place on 17.11.2020 and the present FIR has been instituted on 27.11.2020. There is general and omnibus allegation against the petitioner. Petitioner is in custody since 18.12.2020.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, 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 the learned Sub-divisional Judicial Magistrate, Katihar in connection with Nagar P.S. Case No. 618 of 2020, subject to 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 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.

3. 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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