

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35117 of 2020

Arising Out of PS. Case No.-163 Year-2019 Thana- BARGAINIA District- Sitamarhi

GANESH SAH Son of Late Kishore Sah Resident of Village - Asogi, Ward
No. 08, P.S. - Bairgania, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 02-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Bairgania P.S. Case No. 163 of 2019 registered under Sections 341, 323, 307, 326A, 504 and 34 of the Indian Penal Code.

Over an earlier motorcycle accident with the accused side, it is alleged that on the next date petitioner and one Sudama Paswan had thrown acid on the informant and his sister while they were moving on their motorcycle. Against the petitioner there is allegation that he has thrown acid on



informant's face.

Learned counsel for the petitioner submits that no occurrence has taken place. The dispute of the informant was with the family members of Sudama Paswan. Petitioner is own uncle of the informant and implicated on extraneous considerations. Both the parties have compromised the case amicably and investigation is complete. The petitioner is stated to be in custody since 25.7.2019 and as per statement in paragraph 3, he has no criminal antecedent.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Sitamarhi in Bairstania P.S. Case No. 163 of 2019, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also



undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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