

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36347 of 2020

Arising Out of PS. Case No.-194 Year-2019 Thana- KEWATI District- Darbhanga

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Anerjeet Sadai @ Anarjit Saday @ Anerjeet Saday, son of Late Ganaur Saday
@ Ganaur Sadai, Resident of Village- Balha Mushari Tola, P.S.- Keoti,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No.13, Advocate
Mr. Rohit Kumar, Advocate
For the Opposite Party/s : Mr.Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 05-03-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Keoti
P.S. Case No.194 of 2019 for the offence punishable under
Sections 147, 148, 149, 341, 307, 302, 325, 324, 504, 506 of the
Indian Penal Code.

It is the case of the informant that four person,
including the petitioner, have come to his house and hurled
abuses. When his son came out of the house and protested such
act, he has been thrashed by these four and later by 23 persons.
The family members of the informant, who have come to his
rescue, have allegedly been thrashed.

Petitioner's counsel submits that the petitioner has



no criminal antecedents and the prosecution case does not allege any specific assault against the petitioner. The case of the informant that 27 persons have assaulted stands belied by the injury report, wherein only three injuries have been found on the victim. There is no injury report in support of the allegations that other family members have also been assaulted. Under such circumstances of false implication, the petitioner is in custody since 23.12.2019 and co-accused Rajesh Sadai, similarly situated as the petitioner, has been allowed bail in Cr.Misc. No.36443 of 2020, vide order dated 02.03.2021.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 A.C.J.M.-VII, Darbhanga, in connection with Keoti P.S. Case No.194 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.

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

(Madhuresh Prasad, J)

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