

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40549 of 2020

Arising Out of PS. Case No.-198 Year-2019 Thana- BIHRA District- Saharsa

SHIVENDRA SAH Son of Sri Laxmi Sah R/o Village- Sattar, P.S.- Bihra,
District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Pankaj, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-02-2021 Heard both parties.

The petitioner seeks bail in Bihra P.S. Case No. 198/2019, registered for the offences punishable under Sections 341, 323, 379, 384, 385, 386, 354(B), 504, 506 and 34 of the Indian Penal Code as well as Section 27 of Arms Act.

As per prosecution case, on the date of occurrence while informant along with his wife was going to market on motorcycle, petitioner along with three other accused persons surrounded him near Bajrangbali temple at Nandlali village. It is alleged that on the point of pistol, petitioner demanded *rangdari* of Rs. 1 lac. Petitioner also took out Rs. 20,000/- from the pocket of informant and assaulted him and misbehaved with his wife.

It is submitted that petitioner is running an NGO in the name of “Indraskshi Educational and Social Welfare Society”. He has been falsely implicated in this case by the local administration



in connivance with the informant due to previous litigations and enmity.

Charge-sheet has already been submitted. Petitioner is in custody since 15.11.2019.

Considering the nature of allegation and period of custody, 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 learned Chief Judicial Magistrate, Saharsa, subject to the 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)

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