

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4989 of 2021

Arising Out of PS. Case No.-168 Year-2019 Thana- JANTA BAZAR District- Saran

BACHCHA SAH SON OF LATE SUKHAL SAH RESIDENT OF VILLAGE
- PANDITPUR, P.S. - JANTA BAZAR, DISTRICT - SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-03-2021 Heard both parties.

The petitioner seeks bail in Janta Bazar P.S. Case No. 168 of 2019, registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504 and 34 of the Indian Penal Code.

As per the prosecution case, on the alleged date of occurrence, while the informant was going to his *Bathan* this petitioner in inebriated condition is alleged to have abused and assaulted him by means of *Phasuli*, as a result of which he sustained injury and fell down. It is further alleged that petitioner also snatched Rs. 12,000/- from the pocket of informant.

It is submitted on behalf of the petitioner that due to some petty dispute, the incident took place and the informant



sustained injuries. From injury report (annexure-2), it is apparent that no sharp cut injuries were found rather lacerated wounds were on the person of informant. Moreover, the occurrence has taken place on 24.10.2019, but the FIR was lodged on 01.11.2019 and there is no plausible explanation for the same. Petitioner claims clean antecedent and he is in custody since 19.08.2020.

Considering the facts and circumstances of the case and petitioner claims clean antecedent, 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 the learned Additional Chief Judicial Magistrate 5th, Saran at Chapra in connection with Janta Bazar P.S. Case No. 168 of 2019, subject to 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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