

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5706 of 2021

Arising Out of PS. Case No.-245 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

SAHEB RAI Son of Ramadhar Rai Resident of Village - Basdeopur
Mushahari Tola, P.S. Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sri Krishna Ranjan, Advocate
For the Opposite Party/s : Mr. Abhay Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-04-2021

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 341, 342, 323, 307, 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged that on 14.5.2020 at 8:00 p.m., while he was going to market with his friend on a motorcycle, Saheb Rai (petitioner), Lalu Singh and one unknown person got his motorcycle stopped and with intend to kill him, fired at him, as a result of which, informant fell down on the ground. Thereafter, accused persons assaulted him with fists and slaps and also took his motorcycle containing rupees fifty thousand in the dicky and fled away.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case due to



local village politics. It is further submitted that in fact no such occurrence took place and a concocted story has been cooked to implicate the petitioner as nobody has sustained any injury. It is contended that there is no recovery of any incriminating material from the possession of the petitioner. Petitioner is in custody since 29.05.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Sahebganj P.S. Case No.245 of 2020, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) 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.

(S. Kumar, J)

Sanjay/-

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