

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15404 of 2021**

Arising Out of PS. Case No.-324 Year-2018 Thana- TRIVENIGANJ District- Supaul

SANJAY MARIK Son of Bhupendra Marik Resident of Village - Khoriya
Mission, P.S.- Triveniganj, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary

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

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 23-07-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in a case
registered for the offence punishable under sections 341, 323,
324, 326, 307, 504 and 506/34 of the Indian Penal Code.

As per prosecution case, alleged date and time of
occurrence, while father of the informant was sleeping in his
house, petitioner along with co-accused came and took away
father of the informant with them. It is further alleged that both
accused persons took out left eye of father of the informant and
left him in unconscious stage.

Statement of the father of the informant has also been
recorded during course of investigation in para 38 of the case
diary wherein he has alleged that he was taken away by six



persons. Injury report of father of the informant is in para 32 of the case diary wherein the doctor has found one injury on the left eye ball caused by hard and blunt substance.

It is submitted on behalf of the petitioner that petitioner has been falsely implicated in this case and co-accused person, namely, Bhupendra Marik having similar allegation has been granted bail by a coordinate bench of this court vide Cr. Misc. no. 21826/2019. Petitioner has got clean antecedent and is in jail custody since 17.01.2020.

Learned counsel for the State opposes the prayer for bail.

Considering the period of custody and clean antecedent, this bail application is allowed. Let the petitioner 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 the Chief Judicial Magistrate, Supaul in Triveniganj P.S. Case no. 324/2018 on the following conditions.

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.



(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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