

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3306 of 2022

Arising Out of PS. Case No.-182 Year-2021 Thana- BHANGWANPUR HAT District- Siwan

Saheb Hussain @ Sahab Hussain Son Of Bhola Rai Resident Of Village -
Mora Khas, P.S.- Bhagwanpur, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 28-11-2022 Heard Ld. counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Bhagwanpur Hat P.S. Case No. 182 of 2021, registered for
the offences punishable under Sections 341, 323, 324, 307,
504, 506 and 34 of I.P.C.

As per allegation, the petitioner along with his
associates assaulted the informant with slaps and fists and
also assaulted Dewar of informant by means of knife.

Ld. counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the case of the prosecution



against the petitioner is not supported by injury report. As per the injury, there is only tenderness on the back of the chest and injury has been found to be simple in nature. He further submits that investigation in this case is complete and charge-sheet has already been submitted.

The petitioner has been languishing in jail since 17.10.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has no criminal antecedent.

However, the Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. Judicial Magistrate, Siwan in connection with Bhagawanpur Hat P.S. Case No. 182 of



2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is



wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

Learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

ramesh/-

U		T	
---	--	---	--

