

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6349 of 2022**

Arising Out of PS. Case No.-299 Year-2020 Thana- DESARI District- Vaishali

MD. SAGIR SON OF MD. TAJ MIAN R/O VILLAGE- SALHA, P.S.-  
DESHRI (SAHDEI O.P.), DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Awadhesh Kumar Singh

For the Opposite Party/s : Mr.Choubey Jawahar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

6      01-11-2022                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 323, 498(a), 363, 365 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that petitioner is father in law of the deceased. He further submits that there is no specific overt act against the petitioner. He submits that earlier the case was filed under



Section 323, 498(a), 363, 365 and 34 of the Indian Penal Code but later on Police has filed the charge-sheet under Section 304(b) and 120(b) of the Indian Penal Code. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Desari P.S. Case No. 299 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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