

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13695 of 2022

Arising Out of PS. Case No.-366 Year-2021 Thana- BARH District- Patna

SANDEEP KUMAR S/O YADAV SANJAY GANGA @ SANJAY YADV @
MANGAL YADAV R/o village- Laheriya Pokhar (Gulab Bagh), P.S.- Barh,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 15-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 14.09.2021, seeks
regular bail in connection with Barh P.S. Case No. 366 of 2021
registered for offences punishable under Sections 341, 323, 379,
384, 337 and 308/34 of the Indian Penal code.

Allegation against the petitioner is that he had tied the
neck of the informant by means of *Gamchha* (Towel) along with
one co-accused Pankaj Kumar. Direct allegation of assault is
against Vijay Kumar Singh.

Learned counsel appearing on behalf of the petitioner



submits that petitioner has falsely been implicated in this case. No overt act has been committed by the petitioner. There is no injury on any part of the neck of the informant. Petitioner has clean antecedent and he is in custody since 14.09.2021. There is no chance of absconding or tampering and hence the petitioner deserves to be released on bail.

Learned A.P.P., for the State has vehemently opposed the prayer for grant of bail to the petitioner.

Considering the nature of allegation made in the FIR against the petitioner, there is no allegation of tampering the evidence or influencing the witnesses and trial is also not likely to be concluded in near future, without going into the merits of the case, the petitioner, above named, is directed to be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Barh, District-Patna in connection with Barh P.S. Case No. 366 of 2021 subject to the following conditions:

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

(ii) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court.

(iii) 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.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

Niraj/-

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

