

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30860 of 2021

Arising Out of PS. Case No.-46 Year-2020 Thana- BEERPUR District- Begusarai

Rajesh Sah S/O Bhuttu Sah R/O Village-Jagdar, P.S-Beerpur District-
Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shubhesh Pandey, Adv
For the Opposite Party/s :	Mr.Anand Mohan Prasad Mehta, APP
For the Informant :	Mr. Lal Mani Sharma, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 22-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Beerpur
P.S.Case No.46 of 2020 registered for the offence under
Sections 147,148,341,323,324,325,307,504,506 of the Indian
Penal Code.

The prosecution case, in short, is that the petitioner
and other accused persons abused the husband of the informant
and petitioner assaulted to the husband of the informant on his
neck by means of Hansuli, his both hands got chopped. They
caused fracture injury of his both legs. They threatened the
informant and her son.

Learned counsel appearing for the petitioner submits



that the petitioner has falsely been implicated in the present case. He further submits that injured-Pawan Sah is own brother of the petitioner. He further submits that the present case has been instituted because 107 Cr.P.C.proceeding was pending between the parties. He further submits that the allegation against the petitioner is that he assaulted on the neck of the victim by Hansuli. As per injury report of the victim, injury Nos. 1,2 and 4 are grievous and caused by sharp cutting weapon. Learned counsel for the petitioner submits that the matter is compromised between the parties. He further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 18.01.2021.

Learned counsel for the informant as well as learned A.P.P. for the State have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Begusarai in connection with Beerpur P.S.Case No.46 of 2020 with 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 cancelled 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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