

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31333 of 2022

Arising Out of PS. Case No.-23 Year-2021 Thana- UPHARA District- Aurangabad

Santosh Sao Son Of Ganeshi Sao R/O Village And P.S.- Uphara, District-
Aurangabad (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal,Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-08-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504, 506, 34 of the IPC.

As per the prosecution case, on 17.05.2021 at about 12:30 PM, while the informant was at her house, all the F.I.R. named accused persons including this petitioner, armed with deadly weapons, came there and attacked on her, as a result of which, she sustained injury. It is further alleged that the co-accused Ganeshi Sao threatened the informant to kill if she files



a case and also snatched a gold chain from her neck.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. There is case and counter case and the father of the petitioner has lodge FIR vide Uphara P.S.Case No.24 of 2021 against the sons of the informant. Further submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons. Further submits that co-accused namely Ganeshi Sao and Sandeshi Sao @ Sudesh Kumar @ Sandeshi Saw have already been granted bail by a Coordinate Bench of this Hon'ble Court vide order at Annexure-4 series to the bail petition and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 20.12.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

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 Court below where the case is pending in connection with Uphara P.S. Case No.23 of 2021, 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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