

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42469 of 2021

Arising Out of PS. Case No.-357 Year-2020 Thana- BIDUPUR District- Vaishali

MANOJ SAH Son of Late Hira Sah Resident of Village- Madhurapur, P.S.-
Bidupur, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navjot Yesu, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-01-2022 Heard the parties through video conferencing.

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 29.04.2021, seeks
regular bail in connection with Bidupur P.S. Case No. 357 of
2020 dated 15.09.2020 registered for offences punishable under
Sections 341, 323, 324, 354, 307, 504 and 506/34 of the Indian
Penal Code.

Prosecution case, in brief, is that the petitioner along
with co-accused has assaulted and injured the informant's
husband and when she wanted to save her husband she was also
assaulted and the accused persons outraged her modesty by



making her nude.

Learned counsel appearing on behalf of the petitioner submits that there is no incised injury. The injury has been caused by hard and blunt object while the allegation in the F.I.R. is that the petitioner was the order giver and the husband of the informant sustained injury by the blow of *Farsa*. He further submits that there is long standing dispute between the two family and the petitioner, against whom there is no allegation of any assault has falsely been implicated in the present case. Petitioner has clean antecedent and he is in custody since 29.04.2021.

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

Considering the facts and circumstances of the case as well as the allegation made in the F.I.R. that the petitioner was order giver, there is no allegation of tampering the evidence or influencing the witnesses and trial is also not likely to be concluded soon due to COVID-19, the petitioner, above named, is directed to be enlarged 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with



Bidupur P.S. Case No. 357 of 2020 dated 15.09.2020 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.

(Purnendu Singh, J)

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