

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41047 of 2022

Arising Out of PS. Case No.-94 Year-2022 Thana- HATHAURI District- Muzaffarpur

Sanjay Sah @ Sanjay Kumar Sah Son Of Ram Naresh Sah Resident Of
Village - Chaumukh, P.S.- Bochahan, District - Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.
For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 341,
323, 324, 327, 363, 364, 504/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner has antecedent one case. It is next submitted that prior
to institution of the present F.I.R., petitioner was a person with
clean antecedent. It is next submitted that informant alleges that
her husband called and informed that accused persons including
the petitioner abducted him for money.

The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case. It is
next submitted that it absolutely does not stand to reason that if



the husband of the informant would have been abducted, as alleged, then how he could have called the informant and informed that he was abducted by the accused persons. This further demonstrates the falsity of the allegation. It is next submitted that thereafter the husband of the informant came back and his statement was recorded under Section 164 of the Cr.P.C. wherein he has supported the case of the prosecution. The learned counsel submits that petitioner is an investor and had invested money in the cooperative society of which the husband of the informant was a Manager and when the amount of the petitioner along with other investors matured and they had gone to redeem, then they came to know that they had been cheated and their entire saving was siphoned off and as such, they were pressurizing the petitioner and his bosses to return the money at least which was invested. It is further submitted that since the petitioner being investor was pressurizing the husband of the informant and other officials for returning money, as such, he came to be implicated in the present false case.

The learned counsel submits that Surendra Sah and Shivshankar Sah, who were agent of the cooperative society through whom the present petitioner had invested his money, were granted regular bail by order dated 26.09.2022 in Cr. Misc.



No.35291 of 2022. It is next submitted that since regular bail has been granted to the agents, the case of the petitioner is on a better footing being investor.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Hathauri P. S. Case No.94 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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