

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52416 of 2021

Arising Out of PS. Case No.-202 Year-2021 Thana- BAJPATTI District- Sitamarhi

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Satyaram Pandit Son of Makeswar Pandit R/o Village- Bhikha, P.S.-
Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 427, 504/34 of the Indian Penal Code.

According to prosecution case, as per F.I.R. the informant Marni Devi wife of Late Rampyare Pandit in her written report stating therein that when the informant was at her house then all the F.I.R. named accused persons including the petitioners came to the house of the informant dangerously armed with Lathi, Danda and Khanti and started abusing the informant. On protest being made by the informant, accused



Satyaram Pandit assaulted on the head of the informant with Khanti, due to which her head was injured and blood oozed out. When her grand daughter Twinkle Kumari and Pinkal Kumari came for her rescue, then they were also assaulted. Thereafter, all the accused persons entered into her house and accused Batohi Pandit and Radha Devi took away a box containing ornaments worth Rs.45,000/- and clothes and also destroyed household articles.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact the petitioner and informant is own Gotiya and there is admitted land dispute is going on between the parties. He further submits that allegation against the petitioner that he assaulted the informant with Khanti and in fact there is case and counter case between the parties. The petitioner is in custody since 16.07.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Bajpatti P.S. Case No. 202 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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