

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54462 of 2022

Arising Out of PS. Case No.-195 Year-2021 Thana- LADANIA District- Madhubani

DINESH SAH Son of Jaggu Sah R/V- Tulsiyahi, P.S- Ladaniya, Dist-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 143, 341, 323,
324, 307, 379, 504, 506 and 34 of the Indian Penal Code, in
connection with Ladaniya P.S. Case No. 195 of 2021.

As per the prosecution story, the informant alleged
that infuriated by the fight that the informant had called for a
'Panchayat' for the measurement of land, his uncle started
abusing him and which went up to assault on him as also his
wife and further they tried to throw kerosene oil and tried to
burn his wife. Further allegation is of snatching of
'Mangalsutra'.



Learned counsel for the petitioner submits that as both the family members are closely related inasmuch as the petitioner being uncle of the informant, it is unbelievable that he will take recourse to throw kerosene oil on his own Daughter-in-law. He further submits that due to dispute, there is case and counter case as would reflect from Annexure-2, the uncle has already suffered by being in custody since 15.6.2022 (as stated in para-15 of the bail application) and further he do not have any criminal antecedent.

Considering the aforesaid facts that there is case and counter case, the petitioner is in custody since 15.6.2022, charge-sheet stands submitted and he do not have any criminal antecedent, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Madhubani, in connection with Ladaniya P.S. Case No. 195 of 2021 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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