

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8316 of 2023

Arising Out of PS. Case No.-466 Year-2022 Thana- BIKRAMGANJ District- Rohtas

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SUMANT SAH @ SUMANT KANU S/O LATE RAM LAL SAH Resident
of Village- Shivpur, P.S.- Bikramganj, District- Rohtas (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-06-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Bikramganj P.S. Case No. 466 of 2022 dated 04.10.2022
registered for the offence under Sections 307, 326(A), 326(B)
and 120(B) of the Indian Penal Code.

Unidentified persons are alleged to have thrown acid
upon the daughter and son of the informant while they were
preparing meal in their house.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case merely on the basis of
suspicion. He further submits that the F.I.R. has been registered
against unknown persons and the petitioner has not been named



in the F.I.R. He further submits that the occurrence is alleged to have been taken place on 29.09.2022 whereas the F.I.R. has been registered on 04.10.2022 after lapse of more than five days without explaining the delay. He further submits that the petitioner happens to be neighbour of the informant and the victim has not disclosed the name of the petitioner. Save and except the suspicion, no cogent material has surfaced against the petitioner to suggest his involvement in the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 06.10.2022.

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, above named, petitioner 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 A.C.J.M.-I, Bikramganj, Rohtas at Sasaram in connection with Bikramganj P.S. Case No. 466 of 2022 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 canceled 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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