

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10851 of 2023**

Arising Out of PS. Case No.-248 Year-2022 Thana- HARLAKHI District- Madhubani

SANTOSH SAH S/O KHOMARI SAH @ KHOBHARI SAH R/v- Sisauni,
P.S.- Harlakhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Adv. Mr. Ravi Prakash, Adv. Mr. Rajesh Kumar, Adv.
For the Opposite Party/s :		Mr. Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 03-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
14.08.2022 in connection with Harlakhi P.S. Case No.248/2022,
F.I.R. dated 13.08.2022, for the offences punishable under
Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian
Penal Code.

According to prosecution case, the petitioner along
with other co-accused persons assaulted the husband of the
informant and inflicted knife blow on the head of the husband of
the informant. Thereafter the petitioner and co-accused persons
snatched the motorcycle, mobile, golden chain and cash of Rs.
17,5000/-.



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 the present case is counter blast of Harlakhi P.S. Case No. 215/2022 filed by the co-accused Rajesh Singh against the husband of the informant. He further submits that it appears from the F.I.R. that there is no specific allegation attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 14.08.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

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 J.M. 1st Class, Benipatti, Madhubani in connection with Harlakhi P.S. Case No. 248/2022, 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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