

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13378 of 2023**

Arising Out of PS. Case No.-65 Year-2020 Thana- JAMALPUR District- Darbhanga

SANTOSH SAHU @ SANTOSH SAH S/O CHANDRADEV SAHU R/o-
Kothram, P.S.- Jamalpur (Badgaon O.P.), District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kumar, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and the
learned APP for the State

The petitioner apprehends his arrest in connection with G.R. No.467 of 2020 corresponding to Jamalpur (Badgaon O.P.) P.S. Case No.65 of 2020 instituted under Sections 341, 323, 380, 385, 354(B), 504, 506, 34 of the IPC lodged on 06.06.2020 by the informant Ram Gulam Sahu.

As per the prosecution story, on 03-06-2020 at 04: PM, all accused person's came with arms and ammunition and asked to informant to pay Rs.5 lacs otherwise face dire consequences. On alarm informant's wife and daughter-in-law came to rescue him. Upon which accused persons assault then



and try to outrage their modesty and accused person took away Rs.2000/- from box. Accordingly, the FIR.

Learned counsel for the petitioner submits that both are agnates and due to land dispute exaggerated FIR is there, no such injury was found and further without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner (s) on its own would like to contribute towards the medical assistance of Rs. 10,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

Learned APP on the other hand opposes the prayer for anticipatory bail.

Taking into account the fact that the petitioner do not have criminal antecedent, this Court is inclined to grant him privilege of bail, subject to the fulfillment of undertaking given above.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two



sureties of the like amount each in connection with G.R. No.467 of 2020 corresponding to Jamalpur (Badgaon O.P.) P.S. Case No.65 of 2020 to the satisfaction of learned Additional Chief Judicial Magistrate, Darbhanga, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(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 will make himself available to the police as and when required in course of investigation;

(iii) 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;

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

(v) 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;



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

(Rajiv Roy, J)

Prakash Narayan /
Sunil

U		T	
---	--	---	--

