

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44895 of 2022

Arising Out of PS. Case No.-53 Year-2022 Thana- BAJPATTI District- Sitamarhi

Mustaque Sah S/o Late Soaib Sah Resident of Village- Kanchanpur, P.S.-
Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-03-2023 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of four weeks from today.

Heard learned counsel for the petitioner and learned
APP for the State.

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

Allegation against the petitioner is of causing injury
over the head of the informant by sharp cutting substance.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that the
present case is counter blast of Bajapatti P.S. Case No. 55 of



2022 lodged by the daughter of the petitioner against the informant. He further submits that there is no repetition of blow and only one injury over scalp measuring 1 ½ inch x 3 inch muscle deep caused by sharp cutting substance has been sustained by the informant. He further submits that the Doctor has reserved the nature of injury and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 08.03.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bajpatti P.S. Case No. 53 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 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 witness, 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 antecedents, 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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