

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56522 of 2023

Arising Out of PS. Case No.-303 Year-2022 Thana- MAKER District- Saran

Sanjay Das @ Sanjay Tanti @ Sanjay Kumar Tanti Son Of Mohan Das @
Mohan Prasad Tanti Resident Of Village-Baghakol, P.S.-Maker, District-Saran
At Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 30-08-2023 Heard Ld. counsel for the petitioner and the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Maker P.S. Case No. 303 of 2022, registered for the offences punishable under Sections 341, 323, 354 (B), 379, 504, 506 of the Indian Penal Code.

3. The prosecution case as emerges from the FIR is that the Petitioner entered the shop of the informant and tried to outrage her modesty. Moreover, he has assaulted the informant with fists and slaps and took an amount of Rs. 10,000/- from the cash box of the shop and fled away.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the present false case has been



filed by the informant on account of mother of the Petitioner having already filed Maker P.S. Case No. 302 of 2022 against the informant. He also submits that there is delay in lodging the FIR.

5. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. J.M. 1st Class, Saran, in connection with Maker P.S. Case No. 303 of 2022, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the petitioner.

9. Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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