

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68361 of 2023

Arising Out of PS. Case No.-47 Year-2023 Thana- SAHEBGANJ District- Muzaffarpur

Ram Balak Sah, Son of Late Ram Prasad Sah Resident of village - Dhampur,
P.S.- Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sahebganj P.S. Case No. 47 of 2023, lodged on 05.02.2023
under Sections 341, 323, 307, 379, 504, 506/34 of the Indian
Penal Code.

3. As per the prosecution case, the FIR has been
lodged against 4 named accused persons including the present
petitioner and the specific allegation as per the FIR is against
the petitioner that he had attacked by iron rod on the informant
near his eye due to which he got fainted and bleeding started.
Subsequently, the informant was admitted to S.K.M.C.H,
Muzaffarpur.

4. Learned counsel for the petitioner submits that the



contents of the FIR is absolutely false and not correct. He also submits that both the informant and the petitioner are resident of the same village and they are well known to each other and submits that none of them are criminal rather due to land dispute, this occurrence took place and in the scuffling between the families of the informant and petitioner, both the parties were injured and for the same date and place of occurrence, case and counter case has been lodged. The present case has been lodged by the informant bearing Sahebganj P.S. Case No. 47 of 2023, whereas, the petitioner has lodged his case numbered as Sahebganj P.S. Case No. 48 of 2023 and in the said case, the petitioner was the informant. He further submits that the antecedent of the petitioner is clean and he is in custody since 08.08.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate (West) Muzaffarpur in connection with Sahebganj P.S. Case No. 47 of



2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.
as well as the following conditions:

(i) one of the bailor should be the family member of
the petitioner who shall provide official document to show his
bona fide;

(ii) 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 bail
bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned
police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or
promise or threat the witnesses or tamper with the evidence,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds; and

(v) 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.

(Dr. Anshuman, J.)

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