

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69917 of 2022

Arising Out of PS. Case No.-293 Year-2022 Thana- KUDHNI District- Muzaffarpur

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SANJAY SAH S/o Siyaram Sah R/v- Harinarayan, P.S.- Sikarganj, District-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 20-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Kudhani
P.S. Case No. 293 of 2022 registered for the offence under
Sections 379, 461, 414/34 of the Indian Penal Code and Section
25(1-B)a, 26 and 35 of the Arms Act.

The case relates to commission of theft in the bank by
the petitioner.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that it
appears from the F.I.R. that one loaded country made pistol, one
marble cutter, one hammer and thirty pieces of blade and other
articles have been recovered from the possession of the



petitioner. He further submits that there is non-compliance of Section 100 Cr.P.C. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 13.06.2022.

Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Additional Chief Judicial Magistrate, West Muzaffarpur in connection with Kudhani P.S. Case No. 293 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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