

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 70942 of 2023

Arising Out of PS. Case No.-310 Year-2022 Thana- MADHUBAN District- East Champaran

Sakal Sahani Son Of Late Bechu Sahani R/O Village- Kans Pakari, Hardiya
Tola, P.O. And P.S.- Madhuban, District- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Madhuban P.S. Case No. 310 of 2022 lodged under Sections
341, 323, 324, 307, 379, 504 & 34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against 6 named accused persons including the present
petitioner. In the prosecution story, the cause of dispute is the
land as mentioned in the F.I.R..

4. Learned counsel for the petitioner submits that
there are 6 accused persons in this case and the allegation of
assault are there against them. Counsel submits that the cause of
dispute is land for which a case is pending between the parties
as mentioned in the F.I.R. itself.



5. Counsel further submits that petitioner is in custody since 15.07.2023 and there are 2 criminal cases pending against him in which he is on bail in both the cases. Counsel further submits that the petitioner and informant belong to same village and they are well-known to each other.

6. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean. He also submits that there is specific allegation against the petitioner that he was trying to strangle the neck of the informant, but anyhow the informant has saved his life.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but only after framing of charge**, 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, 1st Class, Sadar Motihari, East Champaran, in connection with Madhuban P.S. Case No. 310 of 2022 , subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other 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.)

Prakashmani/-

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

