

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71053 of 2022**

Arising Out of PS. Case No.-240 Year-2022 Thana- SUGAULI District- East Champaran

DASHRATH SAH SON OF LATE JHAMA SAH R/O VILL.- KORAIYA,
P.S.- SUGAULI, DISTT.- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anand Kishore Choudhary,APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 04-04-2023 Heard learned counsel appearing for the petitioner and
the learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 341, 323, 324, 307, 325, 354, 379, 504,
506, 34 of the Indian Penal Code.

Allegation against the petitioner is that he assaulted
the son of the informant, namely, Lal Babu Sah and sister of
the informant namely, Shobha Devi by means of Farsa causing
injury on their head.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent. He has falsely been
implicated in the present case. In fact the informant is full
brother of the petitioner and there is admitted land dispute
between the parties and it appears from the FIR that there is



general and omnibus allegation against all the accused persons. Further submits that the allegation against the petitioner is that he assaulted the son of the informant, namely, Lal Babu Sah and sister of the informant namely, Shobha Devi by means of Farsa but the injury report of Lal Babu Sah and Shobha Devi suggest that the injury is simple in nature and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 27.08.2022.

Considering the aforesaid fact, let the petitioner, above named, 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Sugauli P.S. Case No. 240 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 cancelled 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.



(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 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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