

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9397 of 2024

Arising Out of PS. Case No.-134 Year-2022 Thana- SAHIYARA District- Sitamarhi

Sanjay Kumar Singh @ Sanjay Singh S/O Kapal Singh @ Kapildeo Singh
R/O Village- Chhaurahiya, P.S- Sahiyara, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachchidanand Choudhary, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-02-2024 Heard Mr. Sachchidanand Choudhary, learned
counsel for the petitioner and Mr. Binod Kumar, learned APP
for the State.

2. The petitioner is apprehending his arrest connection with Sahiyara P.S. Case No. 134 of 2022, F.I.R. dated 04.10.2022 registered for the offences punishable under Sections 341, 323, 379, 307/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he surrounded the informant and made an attempt to snatch away the bag containing a sum of Rs 1,65,000/- and when the informant protested the accused persons began assaulting him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case due to village politics. He further submits that



from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against the petitioner rather there is specific allegation of assault is attributed against co-accused namely Randhir Kumar Singh and at best the petitioner is the member of mob and there is no accusation of assault or overt act against the petitioner.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries three more cases other than the present one but fairly submits that the petitioner is on bail in all the pending matters as mentioned in paragraph-3 of the petition.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sitamarhi in connection with Sahiyara P.S. Case No. 134 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, 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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