

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7286 of 2024

Arising Out of PS. Case No.-588 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Seni Sah @ Saini Sah S/O- Dholu Sah R/O- Village- Kahrakuti, P.S.- Saharsa,
Dist.- Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-02-2024 Heard Mr. Pramod Mishra, learned counsel for the

petitioner and Mr. Anil Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Saharsa Sadar P.S. Case No. 588 of 2023, F.I.R. dated 21.08.2023 for the offences punishable under Sections 341, 323, 354, 379, 384, 427, 504, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, the petitioner is said to have thrashed the informant on the floor due to which she sustained injury on the head.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that from bare perusal of the



FIR it appears that the allegation against the co-accused person namely, Gobind Das and Dashrath Sah who have demanded the ransom money from the informant and there is specific allegation against the petitioner that he has thrashed the informant on the floor and due to which she sustained injury. He further submits that there is admitted land dispute between the parties and a Title Suit No.178 of 2021 is pending before the competent Court of law.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 588 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-



i. 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.

ii. 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.

iii. 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)

ajay/-

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

