

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34407 of 2024

Arising Out of PS. Case No.-270 Year-2021 Thana- LAUKAHI District- Madhubani

Sanjay Sah @ Sanjay Sahu Son of Jasso Sah R/O Vill.- Kharagpur, P.S.-
Laukahi, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Laukahi P.S. Case No.270 of 2021 lodged under Sections 147,
148, 149, 341, 323, 307, 354, 379, 504 and 506 of the I.P.C.
read with Section 27 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against eight named accused persons including the
petitioner against whom there is allegation of attack on the
informant and his associates snatched the iron chain, thereafter,
the F.I.R. has been lodged by the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that from the contents of F.I.R., it become crystal clear that due



to election dispute, the present case has arisen.

5. Counsel further submits that there is a case and counter-case from both petitioner and informant's side which is Laukahi P.S. Case No.270 of 2021 and Laukahi P.S. Case No.271 of 2021.

6. Counsel further submits that the fardbeyan of the case itself indicates that a concocted story is there and from the injury report, it indicates that the injury is simple in nature.

7. Counsel also submits that the other co-accused has been granted bail by this Court vide order dated 20.12.2023 passed in Cr. Misc. No. 64182/2023. He submits that the only difference between the co-accused and the petitioner is that co-accused has no antecedent, but the present petitioner has 5 criminal cases pending against him in which he is on bail in all cases. He submits that petitioner is in custody since 16.02.2024.

8. Learned counsel for the State opposes the prayer for bail.

9. Upon specific query whether charge has been framed or not. Counsel submits that as per his knowledge, charge has not been framed till date.

10. In the present facts and circumstances of this case and the submissions made above, let the petitioner above



named, be granted bail, **after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., 1st Jhanjharpur, Madhubani in connection with Laukahi P.S. Case No.270 of 2021, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

11. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

- i. Laukahi P.S. Case No.87 of 2008.
- ii. Laukahi P.S. Case No.44 of 2010.
- iii. Nirmali P.S. Case No.49 of 2010.
- iv. Laukahi P.S. Case no.92 of 2013
- v. Laukahi P.S. Case No.11 of 2020.

(Dr. Anshuman, J.)

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