

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62307 of 2024

Arising Out of PS. Case No.-162 Year-2024 Thana- KEWATI District- Darbhanga

Md. Sabbir @ Sabbir Son of Sri Md. Safi Rahman @ Safi Rahman Resident
of Ward no. 11, Chhatwan Dih Tola, P.S.- Keoti, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amarendra Narayan, Advocate
For the State	:	Mr. Anil Prasad Singh, APP
For the Informant	:	Mr. Sumit Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-09-2024 Heard Mr. Amarendra Narayan, learned counsel for

the petitioner and Mr. Sumit Jha, learned counsel for the

informant as well as Mr. Anil Prasad Singh, learned A.P.P. for

the State.

2. The petitioner seeks bail, who is in custody since
21.05.2024, in connection with Keoti P.S. Case No. 162 of
2024, FIR dated 03.06.2024 registered for the offence under
Sections 341, 323, 324, 307, 457, 448, 504, 354 and 34 of the
Indian Penal Code.

3. As per the prosecution case, when the informant
was sleeping in her room, the petitioner entered into her room
and started misbehaving with her with bad intention. When the
informant opposed, the petitioner tried to press her neck and
brought out pistol and asked her to do what he wanted to do. He
hit her with but of pistol and threatened her not to disclose the



matter with anyone otherwise her entire family will be killed.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and due to previous enmity the petitioner has been falsely implicated in the present case. He further submits that from a bare perusal of the FIR it appears that no case is made out under Section 307 of the Indian Penal Code. He further submits that the police after investigation has submitted the charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 21.05.2024.

5. Learned counsel for the informant as well as learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submit that there is specific allegation against the petitioner that he has tried to molest the victim/informant and apart from that the petitioner carries one more case other than the present one.

6. Considering the aforesaid facts, let the, above named, petitioner 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, Darbhanga in connection with Keoti P.S. Case No. 162 of 2024 with the 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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