

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66368 of 2024

Arising Out of PS. Case No.-381 Year-2023 Thana- BARARI District- Katihar

Bablu Sahani @ Bablu Kumar Sahani, S/o Kailash Sahani, R/o -Mohana
Chandpur, Ward No 13, P.S. Barari (Semapur), District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 29-11-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This is the second attempt made on behalf of the petitioner seeking bail, who is in custody in connection with Barari (Semapur) P.S. Case No. 381 of 2023 registered for the offence punishable under Section 302 of the Indian Penal Code.

3. Earlier, the prayer for bail of the petitioner was rejected by this Court vide order dated 31.07.2024 passed in Cr. Misc. No. 32564 of 2024, granting liberty to renew his prayer for bail after framing of charge.

4. Learned counsel for the petitioner submits that the date on which the prayer for bail of the petitioner was turned down vide order dated 31.07.2024, on account of lack of instruction, it could not be brought to the knowledge of this Court that



charges have already been framed. It has been apprised this Court that charges have already been framed on 28.05.2024 itself. Apology has also been sought for on behalf of the petitioner and the person who sworn the affidavit. Learned counsel for the petitioner urged before this Court that be that as it may, now the petitioner has already been remained in custody for few more months due to his mistake.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that the petitioner ought to come to the Court with clean hands. That apart, there is specific allegation against the petitioner that he being husband of the victim killed her.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the charges have already been framed and now the petitioner has been incarcerated since 08.12.2023 having fair antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Katihar in connection with Barari (Semapur) P.S. Case No. 381 of 2023, subject to the condition that one of the bailors will be the close relatives of the petitioner with



further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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