

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80349 of 2023

Arising Out of PS. Case No.-297 Year-2023 Thana- KARJA District- Muzaffarpur

Sitam Kumar Son Of Mahesh Ram R/O Village- Kanti Kusi Harpur, P.S.-
Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Nitu Kumari

For the Opposite Party/s : Mr. Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 03-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 328, 354(B), 34 of the
Indian Penal Code.

3. As per the prosecution case, petitioner along
with other co-accused persons caught the informant's daughter
with bad intention and made her to drink unconscious drug.
Somehow the victim managed to run away from there.

4. Learned counsel for the petitioner submits that
no such occurrence as alleged ever took place. He is quite
innocent and has been falsely implicated in this case. The
allegation levelled against the petitioner is not specific rather
general and omnibus in nature. He submits that the petitioner



has not arrested by police rather villagers have caught him in the name of village panchayati and, thereafter, he was handed over the police. He further submits one of the co-accused has been granted regular bail by the learned Court below. The petitioner has no criminal antecedent and has been languishing in custody since 28.08.2023.

5. Learned APP for the State opposed the bail petition.

6. Considering the facts aforesaid and the fact that there is general and omnibus allegation against the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Karja (karza) P.S. Case No. 297 of 2023 subject to the following conditions :

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(iii) The petitioner shall remain physically present



in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(iv) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(v) The petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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