

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83696 of 2024

Arising Out of PS. Case No.-55 Year-2024 Thana- Chhaudahi District- Begusarai

Rajendra Sahu @ Rajendra Sah Son of Triveni Sahu, R/o village- Shekha Tola, Akamba, Ward no. 04, PS- Chhaurahi, Dist- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Kumar Binode Bariar, Advocate
For the Opposite Party : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-12-2024 Heard Mr. Kumar Binode Bariar, the learned counsel for the petitioner, the learned counsel for the informant and Mr. Bharat Bhushan, the learned Additional Public Prosecutor for the State.

2. Learned counsel for the informant has filed *vakalatnama*, which is placed on record.

3. Petitioner seeks regular bail who is in custody since 23.08.2024, in connection with Chhaurahi P.S. Case No. 55 of 2024, FIR dated 03.06.2024, registered for the offences punishable under Sections 341, 323, 307, 379, 354(B), 448 and 506 read with Section 34 of the Indian Penal Code.

4. According to the prosecution case, one Rohit Kumar Sahu and his family members were constructing wall on Government land causing obstruction to the informant and general public and when informant opposed to the same, the co-



accused persons badly assaulted the informant and her family members. It is further alleged that the co-accused persons also looted Rs. 20,000/- (rupees twenty thousand only), three *bhari* of gold jewelry and twenty-five *bhari* silver.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that petitioner is husband of the co-accused person namely, Sanjukta Devi @ Sanyukta Devi and although, there is specific allegation against the petitioner and other co-accused persons that they have assaulted to the husband of the informant and although, he has received the injury, but the injury report of the husband of the informant suggests that all the injuries are simple in nature caused by hard and blunt substance. He further submits that co-accused persons namely, Sanjukta Devi @ Sanyukta Devi, Shyam Sundar Sah and Neetu Devi have been granted the privilege of anticipatory bail vide orders dated 01.10.2024, 01.10.2024 and 03.10.2024 passed in Cr. Misc. Nos. 64338 of 2024, Cr. Misc. No. 64895 of 2024 and Cr. Misc. No. 67537 of 2024 respectively. He lastly submits that the police after investigation has submitted the charge sheet against the petitioner and the petitioner is in custody since 23.08.2024.



6. The learned counsel for the informant as well as the learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances and mainly the facts that petitioner has clean antecedent, the injury report of the injured person suggests that injury is simple in nature and other co-accused persons have been granted the privilege of anticipatory bail by this Court, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai, in connection with **Chhaurahi P.S. Case No. 55 of 2024**, subject to the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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 learned trial Court 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 learned trial Court 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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