

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4660 of 2025

Arising Out of PS. Case No.-290 Year-2024 Thana- BAIRIYA District- West Champaran

Sanjay Sah S/o Late Rameshwar Sah R/o Village- Mathiya Bhitaha, P.S.-
Bairiya, District- West Champaran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-02-2025 Heard Mr. Deepak Kumar Singh, learned counsel
for the petitioner and Mr. Anant Kumar 1, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bairiya P.S. Case No. 290 of 2024, F.I.R. dated 01.09.2024 for the offences punishable under Sections 191, 126, 115(2), 118, 109 and 352 of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, this petitioner along with other accused persons have assaulted the father of the informant due to some land dispute.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that there is specific allegation against the petitioner that he has assaulted to the father of the



informant and due to land dispute the present occurrence has taken place. He further submits that one Title Suit No. 80 of 2019 is also pending between the parties and the informant is agnate of the petitioner. He further submits that the injury received by the injured person is simple in nature.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he has assaulted to the father of the informant and apart from that the petitioner carries two criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in both the cases.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Additional Chief Judicial Magistrate-III, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 290 of 2024, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

iii. 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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