

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30077 of 2025

Arising Out of PS. Case No.-184 Year-2021 Thana- SANGRAMPUR District- East
Champaran

Prakash Sah @ Prakash Kumar Sah S/o- Late Sukai Sah Village- Pakari PS-
Dumariya Ghat Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 06-08-2025 Heard the parties.

2. The petitioner is in custody in connection with Sangrampur P.S. Case No. 184 of 2021 for the offence punishable under Sections 279, 337, 338, 304, 120(B), 506 and 34 of the I.P.C. lodged on 28.08.2021 by the informant, Laxmi Narayan Sahani.

3. As per the prosecution story, the informant alleged that earlier, there was a dispute with the accused side and they had threatened them of dire consequences. The allegation is that on the fateful day, as his father and son were moving on NH-28, under conspiracy, the accused persons on a motorcycle hit them causing injuries. They were shifted to Primary Health Center, Sangrampur and then to Motihari and on the way, the father



died. This led to the FIR.

4. Learned counsel for the petitioner submits that it is an accident, only to implicate, the dispute theory has been incorporated. In any case, his name has come on the later occasion, has no criminal antecedent and is in custody since 04.01.2025.

5. Learned APP opposes the prayer for bail submitting that his name has come and charge-sheet also filed against him.

6. Taking into account the submission of the parties as also that the petitioner has no criminal antecedent, is in custody since 04.01.2025, the charge-sheet stands submitted and he shall be facing the trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, East Champaran in connection with Sangrampur P.S. Case No. 184 of 2021 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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