

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88454 of 2024

Arising Out of PS. Case No.-442 Year-2024 Thana- HARSIDHI District- East Champaran

Sanjay Kumar Son of Radheshyam Patel Resident of Village - Manikpur,
Police Station - Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 08-01-2025 Heard the parties.

2. The petitioner is in custody in connection with Harsidhi P.S. Case No. 442 of 2024 for the offence punishable under sections 338, 336(3), 340(2), 317(3), 317(4) of the Bhartiya Nyaya Sanhita lodged on 15.08.2024 by the informant, Manish Raj.

3. As per the prosecution story, on 15.08.2024, during patrolling, police intercepted a motorcycle and found the same of using different number. As the petitioner was using it and could not give a proper reply, was arrested, FIR.

4. It is the case of the petitioner that he is a farmer, going to the market, due to some petty issue, had an altercation with the police which resulted into implication, he has no criminal antecedent and is in custody since 16.08.2024.



5. Learned APP opposes the prayer for bail submitting that he was using a motorcycle with fake number.

6. Having gone through the facts of the case and the submissions, the allegation is there, FIR lodged, he will be facing the trial, charge-sheet submitted, this petitioner do not have criminal antecedent and is in custody since 16.08.2024, 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) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Motihari in connection with Harsidhi P.S. Case No. 442 of 2024 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 appear before the concerned police station every fortnight for six months to mark his



attendance;

(iv) 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;

(v) 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)

Vijay Singh/-

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