

In the Court of Addl. Sessions Judge-I Godda

Schedule XLII- High Court (J) 9a [Old (M) 164]

Sl No.	Date of Order proceeding	Order with signature of the court	Office action Of taken with date
1	2	B.P. No. 493/2022	
	17.11.2022	Present bail petition has been filed by the petitioner/accused namely, Sanjay Kumar Sah, who is in custody in connection with Godda(Town) P.S. case no. 230/2022 registered U/Ss 153-A, 295,295A & 297 I.P.C.. The petitioner is lying in judicial custody since 31.08.2022. Heard the Learned Counsel for the petitioner Sri Pramod Kumar Sharma and Ld. Addl. P.P. Sri Pradeep Kr. Das appearing on behalf of State. The Case of the prosecution in brief on the basis of written report of Pritam Kumar Dubey is that in the intervening night of 29.08.2022, unknown perpetrator having entered into Durga Mandir situated near to Babupara and to have been broken idol of goddess-Durga. Hence this case.	

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	Contd.17.11.2022	While moving the said bail petition, on behalf of the petitioner Ld. lawyer submitted that there is no anticipatory or regular bail petition has been filed either your honour's court or in Hon'ble High Court at Ranchi. Further submitted that the petitioner is quite innocent and has committed no offence. The petitioner has falsely been implicated in this case due to false accusation. The contents of F.I.R. itself disclose that there is no direct allegation against the petitioner and all sections added only to offence make a serious nature. The petitioner is neither a member of any political party nor a member of non-political party nor affiliated with any religious organization. The petitioner has never represented any religious institution nor has ever given a statement that spread religious derangement. On the basis of of F.I.R. there	

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	Contd.17.11.2022	is only information about breaking the idol by some unknown person and not any statement in accordance with the section imposed. The alleged section has been imposed by the police out of mentality which sections does not apply to this petitioner. Police have recorded a false confessional statement by taking the petitioner into own custody. The petitioner and all the member of his family believe in religious faith which has never done and will never do such act. No any case pending in any court and pray to enlarge the accused petitioner on bail. On behalf of state, learned Addl.P.P. submitted that the allegation against the petitioner is serious in nature. Hence pray to reject the bail of the accused petitioner.	

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	Contd.17.11.2022	Heard in details, perused the record, it is transpired that F.I.R. lodged against unknown person and police arrested this petitioner accused and recorded his confessional statement, which is not relevant in the eye of law. Petitioner accused is in judicial custody since 31.08.2022 and place of occurrence is situated in residential area but no any person seen that who broken the goddess idol .After considering all facts and circumstances that no any previous criminal history of this petitioner accused and investigation is completed and charge sheet has been submitted and on the basis of charge sheet ,learned lower court taken cognizance on 01.11.2022, U/S 153A, 295,295(a), 297 of the I.P.C.. After considering all facts and circumstances ,court found that it is proper to provide	

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	Contd.17.11.2022	the benefit of bail. Hence B.P. no. 493/22 filed on behalf of accused petitioner namely Sanjay Kumar Sah is hereby allowed in the ends of justice and petitioner release on bail after furnishing bail bond of Rs. 10,000/- with two sureties of the like amount to the satisfaction of the concern Court P.O. Addl. Sessions Judge-I Godda.	