

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23220 of 2017

Arising Out of PS.Case No. -256 Year- 2016 Thana -DHURAIYA District- BANKA

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Jai Prakash Sah son of Late Kamaladhari Sah Resident of Village - Laxmi
Kitta, Police Station - Dhoraiya, District - Banka.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hoda

For the Opposite Party/s : Mr. Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-05-2017 Learned counsel for the petitioner is permitted to make
necessary correction in para-1 of the bail application during
course of the day.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 341, 323, 379, 504, 506/34 of the Indian Penal Code.
Subsequently, Section 302 of the Indian Penal Code was added.

The allegation against the petitioner is of assaulting the
informant (deceased), which resulted into his death and also taken
away Rs. 2000/- from the pocket of the informant (deceased).

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 07.03.2017. The charge sheet has
been submitted in the present case. The petitioner has got no
criminal antecedent. There is no allegation of tampering of



witnesses alleged against the petitioner. The case was instituted for an offence under Sections 341, 323, 379, 504, 506/34 of the Indian Penal Code and subsequently after twenty days, the informant had died and then Section 302 of the Indian Penal Code was added on 16.01.2017. Thereafter the bail of the petitioner was cancelled. Thereafter the petitioner prepared revision application against cancellation of bail before the Hon'ble High Court. The said order of cancellation was set aside vide Cr. Rev. No. 290 of 2017 dated 16.03.2017 but in the meantime the petitioner was arrested and was taken into judicial custody. General and omnibus allegation has been made against the petitioner. No specific overt act has been alleged against the petitioner.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 A.C.J.M.-IV, Banka, in connection with Dhoraiya P.S. Case No. 256 of 2016.

(Sudhir Singh, J)

Amit/-

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