

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76510 of 2019

Arising Out of PS. Case No.-107 Year-2019 Thana- SAHAR District- Bhojpur

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1. SATYENDRA SAH Son of Late Gupteshwar Sah Resident of Village-Baruhi, P.S-Sahar, District-Bhojpur.
 2. Dipak Kumar @ Dipak Kumar Soni Son of Satyendra Sah Resident of Village-Baruhi, P.S-Sahar, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Singh
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-12-2019 Heard learned counsel for the parties.

Petitioners who are in custody seeks bail in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Informant in her fardbeyan has alleged that on 27.04.2019 at about 6:00 pm in the evening while she was returning from Baruhi market with her father-Bhola Sah to her village then they stopped near house of Satyendra Sah and her father-Bhola Sah asked Manu Kumar and Deepak Kumar as to who had kidnapped a girl in his house, this not a good thing. This led to confrontation between the parties and petitioners along with FIR named accused started assaulting her father with



lathi and danda on account of which he sustained injuries and thereafter he was brought to Sadar Hospital, where he died during the course of treatment.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case due to animosity. No incident as alleged ever took place. All family members male and female have been made accused. There is no specific allegation of any overt act against the petitioners rather there is general and omnibus allegation against all. Petitioners have got no criminal antecedent and are in custody since 28.04.2019. Chargesheet has already been submitted.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Sahar P.S. Case No. 107 of 2019**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.



(3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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