

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6153 of 2020**

Arising Out of PS. Case No.-342 Year-2015 Thana- JAYNAGAR District- Madhubani

JAGDISH SAH Son of Late Sone Sah Resident of Village - Dullipatti, P.S.-
Jaynagar, District- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 08-06-2020 This application has been placed for consideration by

the order of the Hon'ble the Chief Justice through virtual court
proceeding.

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

The petitioner in the present case is seeking regular bail
in connection with Jaynagar P.S. Case No. 342 of 2015 registered
for the offence punishable under Sections 302/34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the FIR
has been lodged after much delay having general and omnibus
allegations against the petitioner. It is further submitted that co-
accused Bisheshwar Das has been admitted to bail vide order
dated 20.03.2020 in Cr. Misc. No. 2903 of 2020 and the petitioner
is in custody since 24.11.2019.



Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the alleged occurrence is dated 23.12.2015 and the first information report has been lodged on 26.12.2015 in which altogether 9 persons have been named and there are general and omnibus allegations against the petitioner as also the co-accused Bisheshwar Das has been granted bail by a learned co-ordinate Bench of this Court vide order dated 20.03.2020 passed in Cr. Misc. No. 2903 of 2020 and further that the petitioner is in custody in connection with this case since 24.11.2019, investigation against him is complete and there is no submission on behalf of the State that his release at this stage is in any way likely to adversely affect the course of trial, let the petitioner above named be released on bail in connection with Jaynagar P.S. Case No. 342 of 2015 on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction learned S.D.J.M., Madhubani, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar



to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

