

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13234 of 2020

Arising Out of PS. Case No.-283 Year-2019 Thana- AMNAUR District- Saran

1. Basrudin @ Basiruddin Alam @ Basiruddin Sah son of Late Sahabuddin Resident of Village-Shekhpora, P.S.-Amnaur, District-Saran at Chapra.
2. Manauwar Sah @ Mananwar Alam Son of Basruddin @ Basiruddin Alam @ Basiruddin Sah Resident of Village-Shekhpora, P.S.-Amnaur, District-Saran at Chapra.
3. Md. Rizwan @ Rizwan Alam @ Rizwan Son of Basiruddin @ Basiruddin Alam @ Basiruddin Sah Resident of Village-Shekhpora, P.S.-Amnaur, @ District-Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-03-2020 The petitioners seek bail in connection with Amnour P.S. Case No. 283 of 2019 which was initially instituted for the offences under Sections 341, 323, 324, 307, 504, 34 of the Indian Penal Code but with the death of the son of the informant, Section 302 I.P.C was also added.

There was some dispute with respect to accounting of money collected for the purposes of construction of Mazar. When account was asked for,



petitioners are alleged to have assaulted the son of the informant. The son of the informant died because of the injuries suffered on him. The husband of the informant also appears to have been injured in the occurrence.

It further appears from the records that there is counter version of the occurrence in which petitioner No. 1 also has received injuries.

From the perusal of the subject F.I.R, it appears that general and omnibus allegation of assault has been attributed against all the accused persons, who are ten in number. Nothing specific has been attributed against the petitioners and the nature of injuries suffered by the deceased as also by the informant depict that there was a general assault by all the accused persons.

The petitioners are in custody since 23.09.2019.

Considering the aforesaid facts and that the petitioners do not have any criminal antecedent, they are directed to be released on bail on furnishing bail bonds



of Rs. 10,000/-(ten thousands) with sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Saran at Chapra in connection with Amnour P.S. Case No. 283 of 2019.

At the time of grant of bail, the Court below shall insist upon an undertaking from the petitioners that they shall participate in the trial and their absence from the trial proceedings without appropriate permission from the Trial Court would render their bail liable for cancellation for which Trial Court shall proceed immediately on default by the petitioners.

One of the bailors of each petitioner shall be a close relatives.

(Ashutosh Kumar, J)

Shageer/-

U		T	
---	--	---	--

