

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28271 of 2020

Arising Out of PS. Case No.-94 Year-2020 Thana- UJIYARPUR District- Samastipur

SURESH DAS Son of Late Jagdev Das Resident of Village - Belamegh, Ward
No. 08, Police Station - Ujiyarpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Raj Shekhar, Adv. Mr. Kaushal Kumar, Adv.
For the Opposite Party/s :		Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-11-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Ujiyarpur P.S. Case No. 94 of 2020 registered under sections 302 and 34 of the Indian Penal Code.

As per allegation in the FIR, it is submitted that over a dispute on the road side in front of the house of the informant, the accused persons gathered there. The father of the informant asked them not to fight in front of his house. It is submitted that all the accused persons including the petitioner herein came variously armed with lathi, danda etc. and thereafter Shankar Das struck with a bamboo on the head of the informant's father.



Thereafter, it is stated that Jagdish Das and Raja Das also assaulted the informant's father. The injured was taken to the doctor in the village, who declared him to have died.

It is submitted by learned counsel for the petitioner that the allegations as narrated in the FIR, are false and concocted. From the contents of the FIR itself it would transpire that the allegation of assault is specific on Shankar Dar, Jagdish Das and Raja Das. The allegations against the petitioner are general and omnibus. He has no criminal antecedent. He is in custody since 11.4.2020 and investigation in the case has concluded so far as he is concerned.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations as made in the FIR, the main allegation being on the three accused persons named above and not this petitioner together with the fact that the petitioner being in custody since 11.4.2020, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Ujiyarpur P.S. Case No. 94 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees ten thousand) with two sureties of the like



amount each to the satisfaction of the learned Sub-Divisional
Judicial Magistrate, Samastipur.

(Partha Sarthy, J)

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