

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15317 of 2021

Arising Out of PS. Case No.-590 Year-2018 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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RAMESH DAS S/o Bangali Das @ Birani Das R/o village- Garuaara, P.S.-
Muffasil, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 341, 323, 307, 302, 504/34
of the Indian Penal Code.

As per the prosecution case, this petitioner along with
four other FIR named accused persons, armed with cricket bat,
Lathi, Danda and iron rod, assaulted the husband of informant
on his head as a result of which he died during the course of
treatment.

Learned counsel appearing for the petitioner submits
that there is general and omnibus allegation of assault against all
the five FIR named accused persons, including this petitioner,
but the doctor found only two injuries on the person of
deceased. No specific over act has been alleged against this
petitioner. Petitioner claims clean antecedent and is in custody



since 17.12.2019 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, 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 Additional Chief Judicial Magistrate -V, Samastipur in connection with Samastipur Muffasil PS case No. 590/2018 on the following conditions:-

(1) Petitioner 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 on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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