

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16808 of 2021

Arising Out of PS. Case No.-26 Year-2015 Thana- MINAPUR District- Muzaffarpur

RAM BABU SAH, Son of Late Sukul Sah, Resident of Village - Khemaipatti,
P.S.- Minapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Adv.
For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

2 27-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within three weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case, in brief, is that the informant has named the petitioner alongwith co-accused Binod Sah in his written application and alleged that they assaulted him and his



wife by lathi causing grievous injury. The informant and his wife were admitted to Government Hospital, Muzaffarpur wherefrom wife of the informant was referred to PMCH, where she died during course of treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that as per FIR, there is general and omnibus allegation against the petitioner including co-accused to kill the wife of the informant with Bamboo lathi. There is no specific overt act against the petitioner. The petitioner is in jail custody since 31.05.2020. The petitioner has no criminal antecedent which is mentioned in para 3 of the bail petition. Charge-sheet has been submitted against the petitioner.

Learned APP for the State vehemently opposed the prayer for bail petition and submits that as per FIR, it appears that the petitioner is named in the FIR, there is direct allegation the petitioner including co-accused namely Binod Sah, they assaulted the informant and his wife causing death of wife of the informant.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in



connection with Sessions Trial No.151/2020 arising out of
Minapur P.S. Case No. 26/2015 from the Court of learned
Sessions Judge, Muzaffarpur.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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