

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20323 of 2021**

Arising Out of PS. Case No.-365 Year-2020 Thana- SIKARPUR District- West Champaran

Ramji Sah Son Of Dindayal Sah R/O Village- Purani Bazar, Ward No.02
Narkatiaganj, P.S.- Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr. Sakir Ahmad A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 13-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Shikarpur P.S. Case No. 365 of 2020, registered for the offence under Sections 341/323/337/338/307/302/504/34 of the Indian Penal Code.

As per the prosecution case, on 18.07.2020 at 8:00 PM, co-accused Raja Kumar, who was in drunken stage, created nuisance and when the informant raised objection, all the FIR named accused persons including this petitioner started pelting stones and bricks, due to which, four years old son of informant received injury and during course of treatment, he died.

It is submitted on behalf of petitioner that no specific role has been played by this petitioner. There is general and omnibus allegation. Police, after investigation, submitted chargesheet under Sections 341/323/337/338/304/504/34 of the



Indian Penal Code. Petitioner claims clean antecedent and he is in custody since 16.11.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned C.J.M., Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 365 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his 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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