

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21107 of 2021**

Arising Out of PS. Case No.-83 Year-2020 Thana- KARPI District- Jehanabad

NANHAK DAS S/o Prayag Das R/o village- Rampur Chai, P.S.- Karpi,
District- Arwal

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 12-08-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Karpi (Sahar Telpa) P.S. Case No. 83 of 2020 registered for the offences punishable under Sections 341, 323, 147, 148, 149, 307 and 504 of the Indian Penal Code and later on Section 302 of the Indian Penal Code was added. He is in custody since 16.09.2020.

Learned counsel for the petitioner submits that as per the First Information Report all the seven named accused

persons came to the field where the informant and his brother were working, they were lashed with lathi, danda and khanti and assaulted the informant and his brother. Brother of the informant died in course of treatment.

Learned counsel submits that the altercation between the parties took place on some trivial issues and this Court had occasion to consider the prayer for bail of the co-accused Ranjay Kumar @ Ranjan Kumar in Cr. Misc. No. 36275 of 2020. Prior to that one of the co-accused, namely, Sricharan Das was granted bail. This Court noticed that the post-mortem report is showing only one injury whereas the allegations of assault are general and omnibus against seven named accused persons. Considering this aspect of the matter, this Court has granted bail to the co-accused who was in custody for about one year. The case of the petitioner is similarly situated.

Learned A.P.P. for the State has not opposed the prayer for bail of the petitioner in the facts of the present case and fairly submits that there seems to be a general and omnibus kind of allegation against the petitioner.

Considering the facts and circumstances of the case, the submissions noted hereinabove and that the case of the petitioner is similarly situated with the co-accused who has been

granted bail by this Court, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Arwal in connection with Karpi (Sahar Telpa) P.S. Case No. 83 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail

bonds in terms of the above-mentioned order shall not be
delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.