

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21510 of 2021**

Arising Out of PS. Case No.-72 Year-2020 Thana- RAMGARHWA District- East Champaran

1. THARU @ SK THARU Son of Late Shekh Sahid Resident of Village - Belaspur, Warde no.12, P.S.- Ramgarhwa, Distt.- East Champaran.
2. SK Abulaish @ Abulaish Son of Sekh Guli @ Sekh Sahid Resident of Village - Belaspur, Warde no.12, P.S.- Ramgarhwa, Distt.- East Champaran.
3. Md. Laish @ Laish @ Sk. Laish Son of Sekh Guli @ Sekh Sahid Resident of Village - Belaspur, Warde no.12, P.S.- Ramgarhwa, Distt.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. SK ABULAISH@ABULAISH SEKH GULI ALIAS SEKH SAHID BELASPUR
3. MD.LAISH@LAISH@SK.LAISH SEKH GULI ALIAS SEKH SAHID BELASPUR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.  
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      09-08-2021      Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, office will place the matter before the Bench.

The petitioners seek bail in connection with Ramgarhwa P.S. Case No.72 of 2020 registered for the offence punishable under Sections 147, 148, 149, 504, 302, 188, 269, 270, 271 of



the Indian Penal Code, under section 3 of Epidemic Disease Act, 1897 and section 51 of Disaster Management Act, 2005.

The prosecution case in short is that on the alleged date of occurrence, the informant's father was sitting at his door, in the meantime all the FIR named accused persons including the petitioners came there armed with lathi, bat, rod and started abusing with physical assault. It is further alleged that on protest of his father, they brutally assaulted due to which his father became unconscious. Thereafter, with the help of villagers, the informant's father was taken to the Hospital from where he was referred to Patna but in the way he died.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. They have been falsely implicated in this case due to dirty village politics. There is no specific allegation against the petitioners rather the allegations are general and omnibus in nature. During investigation, no direct or indirect allegation has come against these petitioners. There is no eye-witness to the occurrence. The petitioners have no criminal antecedent and have been languishing in custody since 13.10.2020.

Learned APP for the State opposed the prayer for bail.



Considering the facts and circumstances of this case, since there is general and omnibus allegation against the petitioners, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Raxaul at Motihari, East Champaran, in connection with Ramgarhwa P.S. Case No.72 of 2020.

**(Anjani Kumar Sharan, J)**

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