

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34915 of 2021**

Arising Out of PS. Case No.-23 Year-2020 Thana- JAMHOR District- Aurangabad

SATISH KUMAR @ SATISH SINGH Son of Narmadeshwar Singh @ Dul Yadav Resident of Village - Ratnaur, P.S.- Jamhore, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mrs. Rita Verma
Mrs. Mukul Kumari

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

2 07-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302 and some other ancillary Sections of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, all the 14 FIR named accused persons, including this petitioner, variously armed, assaulted the informant and his other family members. Co-accused, Rakesh Kumar, assaulted Dhananjay Singh, brother of informant, with sword causing head injury. Other accused persons also assaulted Dhananjay Singh. Dhananjay Singh and informant were taken to hospital but Dhananjay Singh died during the course of treatment.



Learned counsel appearing for the petitioner submits that there is general and omnibus allegation of assault against this petitioner and no specific overt act has been alleged against this petitioner. As per FIR co-accused Rakesh Singh assaulted the deceased with sword and co-accused, Amul Kumar, Yamuna Yadav, Rahul Kumar and Manish Kumar assaulted him with Farsa and Lathi. All the family members of the petitioner have been implicated in this case and similarly situated accused, Dul Yadav, Jamuna Yadav, Anshu Kumar, Manish Kumar, Ravi Kumar have already been granted bail by this court vide orders passed in Cr. Misc. No. 30294/2020, 35393/2020, 31166/2020, 36030/2020, and in Cr. Misc. No. 30373/2020. Petitioner claims clean antecedent and is in custody since 30.12.2020 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 Chief Judicial Magistrate, Aurangabad in connection with Jamhore PS case No.23/2020 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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