

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30542 of 2021**

Arising Out of PS. Case No.-129 Year-2020 Thana- DALSINGHSARAI District- Samastipur

Ram Bharosh Rai @ Ram Bhrosh Rai S/o of Sukhdeo Rai Resident of
Village- Konaila Makdampur, P.S.- Dalsingsarai, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Adv.

For the Opposite Party/s : Mr. Md. Iftekhar Mahammod, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 13-12-2021

Heard.

The petitioner seeks regular bail in connection with Dalsinghsarai P.S. Case No. 129 of 2020 for the offence punishable under Sections 307, 323, 324, 34, 341, 379, 504 and 302. of the Indian Penal Code.

The accused persons are alleged to have assaulted the father of the informant as also his brother and subsequently, the father of the informant is stated to have died.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 27.01.2021. The learned counsel for the petitioner has further submitted that as far as the petitioner is concerned, there is no allegation of him having



engaged in any sort of overt act. It is also submitted that the co-accused persons, who are stated to have assaulted the informant and his brother, have already been granted bail by a co-ordinate Bench of this Court vide order dated 26.10.2021 passed in Cr. Misc. No. 41964 of 2021. It is further submitted that the main accused is one Kundan Kumar, who had assaulted the father of the informant resulting in his subsequent death.

Per contra, Shri Md. Iftekhar Mahmmud Khan, the learned APP appearing for the State has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner is neither alleged to have assaulted the deceased nor the members of the prosecution side, as also similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the



satisfaction of learned A.C.J.M. 1st, Dalsinghsarai (Smastipur) in
connection with Dalsinghsarai P.S. Case No. 129 of 2020.

(Mohit Kumar Shah, J)

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