

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34900 of 2021**

Arising Out of PS. Case No.-14 Year-2019 Thana- SAHAR District- Bhojpur

ANUP SAH Son of Harendra Sah Resident of Village- Persap, P.S.- Sahar,
District- Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Priyanka Singh, Advocate
For the Opposite Party/s : Mr.A.G

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

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

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 307/302 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, while informant's brother tried to pacify the quarrel of boys, meanwhile petitioner and other accused persons named in the FIR came there and started abusing him. On the order of accused Laddu Sah, other accused persons including the petitioner assaulted the informant's brother with lathi and iron rod who died during course of treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation of assault against



all the accused persons and no specific overt has been alleged against the petitioner. Petitioner has claimed clean antecedent and he is in custody since 17.10.2020. Several similarly situated co-accused have already been allowed bail by co-ordinate bench of this Court vide order mentioned in paragraph 10 of the bail petition. Charge sheet has already been submitted.

Considering the facts and circumstances of the case, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Bhojpur at Ara in Sahar Police Station Case No. 14 of 2019 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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