

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36650 of 2021

Arising Out of PS. Case No.-248 Year-2020 Thana- NAUBATPUR District- Patna

Beni Prasad @ Beni Roy, Son of Bhagwan Rai, resident of Village -
Ghanshyampur, P.S.- Naubatpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh
For the Opposite Party/s	:	Mr. Satish Chandra- Advocate
For the State	:	Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2021 Heard the learned Advocate for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Naubatpur P. S. Case No.248 of 2020, instituted for the offences
under Sections 147, 148, 149, 341, 323, 324, 307, 302 of the
Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 14.10.2020 and charge-sheet has
been submitted in this case and the allegation is that this
petitioner is alleged to be an order giver based on which, the
deceased was assaulted by named accused persons. It is further
alleged that earlier the accused persons had shot dead the
nephew of the deceased.



The learned counsel for the petitioner submits that petitioner is alleged to be an order giver and co-accused namely Gaya Rai @ Gaya Prasad has been granted bail by order dated 06.08.2021 in Cr. Misc. No.8808 of 2021, co-accused Rahul Kumar and Rohit Kumar have been granted bail by order dated 10.02.2021 in Cr. Misc. No.39275 of 2020, co-accused Santosh Kumar has been granted bail by order dated 09.12.2021 in Cr. Misc. No.31172 of 2021 and co-accused Anil Rai @ Anil Kumar @ Anil Roy has been granted bail by order dated 13.12.2021 in Cr. Misc. No.32147 of 2021.

The learned counsel for the informant as well as learned A.P.P. for the State opposes the bail application and submits that no doubt, the petitioner is an order giver, but it was on his order the petitioner was assaulted by farsa on his head and by other accused persons on other part of the body.

Considering the fact that the petitioner is in custody since 14.10.2020 and charge-sheet has been submitted in this case and the co-accused persons have been granted bail, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Danapur, Patna



in connection with Naubatpur P. S. Case No.248 of 2020, with a condition that in the event, if the petitioner does not appear in the trial on two consecutive dates, the learned Court below will be at liberty to cancel his bail bonds.

The application stands allowed.

(Satyavrat Verma, J)

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